

THE UNIVERSITY OF HULL

Human Trafficking: Women's Stories of Agency

Being a Thesis submitted for the Degree of Doctor of Philosophy

in the University of Hull

by

Maria Ivanna De Angelis, BA (Hons) Social Administration and CQSW,  
University of Lancaster

January 2012

## **ABSTRACT**

This thesis is about women's stories of agency in a trafficking experience. The idea of agency is a difficult concept to fathom, given the unscrupulous acts and exploitative practices which demarcate and define trafficking. In response to the three P's of trafficking policy (prevention and protection of victims and the simultaneous prosecution of traffickers) official discourse constructs trafficking agency in singular opposition to trafficking victimhood. The 'true' victim of trafficking is reified in attributes of passivity and worthiness, whereas signs of women's agency are read as consent in their own predicament or as culpability in criminal justice and immigration rule breaking. Moving beyond the official lack or criminal fact of agency, this research adds knowledge on agency constructed with, on, and by women possessing a trafficking experience. This fills an internationally recognised gap in the trafficking discourse.

Within the thesis, female agency is explored in feminist terms of women's immediate well-being agency (their physical safety and economic needs) and their longer term requirements for agency freedom (their capacity to construct choices and the conditions affecting choice). This feminist exploration of the terrain on trafficking found ways in which female agency takes shape in relationship and in degrees to women's subjective and structural victimisation.

Based upon the stories of twenty six women gathered through an indepth qualitative study, agency is visible in identity, decision making and actions. Women fashioned individual trafficking identities from their subjective engagement with the official trafficking descriptors. Additionally, their identification with ties to home (expressed via family relationships, occupational roles, national dress and ethnic food) helped to sustain their pre-trafficking personas. Women exhibited agency in risk taking and choices (initial, shared, constrained and precarious), which characterised their journeys and explained their grading of trafficking 'pains'. Significantly, the fieldwork raised women's engagement with 'the rules' and practices of the host society, as a way of realising new social, recreational, educational, employment, sexual and consumer related freedoms. Acknowledging the international and UK serious organised crime frame on trafficking, the fieldwork also included fifteen interviews with anti-trafficking professionals involved in delivering the three P's of trafficking policy. This complementary standpoint to women's stories presents

ways in which official actors helped and hindered women's achievement of well-being and agency freedoms.

Crucially, in addressing trafficking as an evolving and integral aspect in contemporary global movement - displaying similarity and cross over with migration, smuggling, asylum and refugee accounts - this research unearthed trafficking exploitations and experiences around transnational marriage, which have been traditionally isolated and overlooked by UK trafficking discourse and policy platforms.

## TABLE OF CONTENTS

LIST OF ACRONYMS.....	i
LIST OF IMAGES AND SOURCES .....	v
CHAPTER 1: INTRODUCTION TO THE THESIS.....	1
1.1 Introduction .....	1
1.2 Developing a theoretical framework for researching agency .....	2
1.3 The contemporary backdrop to the research inquiry .....	5
1.4 The UK policy position on human trafficking .....	7
1.5 Themes and departures .....	15
1.6 The thesis structure .....	16
CHAPTER 2: SEEKING AGENCY – ARGUING THE CASE FOR RELATIONAL KNOWLEDGE AND SUBJECTIVE UNDERSTANDING OF WOMEN’S AGENCY AND VICTIMHOOD .....	19
2.1 Introduction .....	19
2.2 Chapter outline .....	20
2.3 Populist constructions of agency in prostitution and sex work .....	21
2.4 Renewed feminist interest in agency .....	27
2.5 Theorising agency, power and the construction of ‘truths’ .....	35
2.6 Feminist re-workings of agency.....	43
2.7 Concluding remarks on agency within the research .....	52
CHAPTER 3: RESEARCHING FROM A FEMINIST PERSPECTIVE....	54
3.1 Introduction .....	54
3.2 Chapter outline .....	55
3.3 Why a feminist perspective and choice of a qualitative approach for this study? .....	55

3.4 Principles of good feminist research .....	57
3.5 My fieldwork as feminist praxis .....	57
3.5.1 <i>Gaining access and finding participants in an ethic of feminist care</i> .....	57
3.5.2 <i>Choice of methodological tools</i> .....	61
3.5.3 <i>Principal methods of data collection</i> .....	63
3.5.4 <i>Handling the data</i> .....	72
3.6 Pen portraits .....	76
3.6.1 <i>Vignettes of trafficked women</i> .....	77
3.6.2 <i>Table of focus group data</i> .....	87

## CHAPTER 4: RESEARCHING TRAFFICKING IDENTITY WITH TRAFFICKED WOMEN .....

4.1 Introduction .....	89
4.2 Chapter outline .....	90
4.3 The imagery of a VOT: Considering the effects of media and campaign constructions on women's trafficking identity .....	90
4.4 Researching what trafficked women say about identity: Privileging their views on self identification for a sense of their trafficked selves (4.4.1) and their pre-trafficking personas (4.4.2) .....	102
4.4.1 <i>Women's sense of a trafficked self</i> .....	102
4.4.2 <i>Women's pre-trafficking persona</i> .....	109
4.5 Researching the place of a victim narrative in women's stories of trafficking .....	114
4.6 Anti-trafficking professionals and the formal identification process .....	123
4.7 Chapter conclusions .....	127

## CHAPTER 5: RESEARCHING TRAFFICKING EXPERIENCE WITH TRAFFICKED WOMEN .....

5.1. Introduction .....	129
-------------------------	-----

5.2 Chapter outline .....	129
5.3 Why do women place themselves at risk of being trafficked? Examining the socio-political and economic context of trafficking .....	130
5.4 So how are we to understand issues of consent, coercion and exploitation in a trafficking experience? .....	135
5.5 Women's stories of subjective trafficking experience – personal contributions around consent, controls, victim exploitations and injustices .....	142
5.5.1 <i>Consent</i> .....	142
5.5.2 <i>Coercion</i> .....	148
5.5.3 <i>Exploitation</i> .....	155
5.6 Chapter conclusions .....	160

CHAPTER 6: RESEARCHING WOMEN'S AGENCY: "WOMEN CAN BE VICTIMS BUT ARE ALWAYS THEIR OWN RESCUERS" (NGO INFORMATION OFFICER) .....	162
6.1 Introduction .....	162
6.2 Chapter outline .....	162
6.3 Women's well-being freedom .....	163
6.4 Women's agency freedom .....	167
6.4.1 <i>Social Practices</i> .....	168
6.4.2 <i>Educational and training opportunities</i> .....	170
6.4.3 <i>Consumer freedoms</i> .....	177
6.4.4 <i>Sexual agency</i> .....	178
6.5 Agency and the power of voice .....	181
6.6 Official discourse, policy and women's well-being and agency freedom .....	187
6.7 Chapter conclusions .....	196

CHAPTER 7: GOVERNANCE: ASPECTS OF DISLOCATION, TRANSGRESSION AND AGENCY .....	198
--	-----

7.1 Introduction .....	198
7.2 Chapter outline .....	198
7.3 Trafficking – definition, correlation and dislocation .....	199
7.3.1 <i>The effects of dislocation on the prostitute subject</i> .....	200
7.3.2 <i>The effects of dislocation on the marriage subject</i> .....	204
7.4 A woman’s role in trafficking: Questions of agency and transgression .....	211
7.4.1 <i>Every woman is not my sister</i> .....	211
7.4.2 <i>Weighting the Scales of Justice</i> .....	213
7.5 Opponents of the trafficking frame .....	217
7.6 Chapter conclusions .....	220
 CHAPTER 8: CONCLUSION .....	223
8.1 An overview of the thesis .....	223
8.2 Contribution in knowledge building of trafficked women’s agency .....	226
8.3 Feminist praxis: Women’s gaze on policy improvement .....	236
8.4 Anti-trafficking praxis: A professional gaze on policy improvement .....	240
 BIBLIOGRAPHY .....	245
 APPENDICES .....	292
APPENDIX 1: Table of research categories: Anti-trafficking professionals .....	292
APPENDIX 2 Informed consent form - women .....	293
APPENDIX 3 Informed consent form – anti-trafficking professionals ..	295
APPENDIX 4 Interview guide: Semi structured interviews with women .....	297

APPENDIX 5 Interview guide: Semi structured interviews with anti- trafficking professionals .....	301
APPENDIX 6 Letter from Government .....	304



## ACRONYMS

### List of Acronyms

ASBO	Anti-Social Behavioural Order
ATMG	Anti-Trafficking Monitoring Group
BBC	British Broadcasting Corporation
BME	Black, Minority and Ethnic
CA	Competent Authority
CATW	Coalition Against Trafficking in Women
CEOP	Child Exploitation and Online Protection
CJS	Criminal Justice System
CoE	Council of Europe
CPS	Crown Prosecution Service
CSC	Centre for Social Cohesion
DCSF	Department for Children, Schools and Families

DV	Domestic Violence
ECPAT	End Child Prostitution and Trafficking
EEA	European Economic Area
EU	European Union
EUD	European Union Directive
FCO	Foreign and Commonwealth Office
FMU	Forced Marriage Unit
GATW	Global Alliance against Trafficking in Women
GED	Gender Equality Duty
GEO	Government Enforcement Officer
GRETA	Group of Experts on Action against Trafficking in Human Beings
HLPR	Howard League for Penal Reform
HT's	Human Trafficking Professionals

IHRLG	International Human Rights Law Group
IOM	International Organisation for Migration
JRF	Joseph Rowntree Foundation
NCAS	National Children's Advisory Service
n.d	No date
NGO	Non Governmental Organisation
NOMS	National Offender Management Service
n.p	No Page number
NRM	National Referral Mechanism
OHCHR	Office of the UN High Commissioner for Human Rights
RCO	Refugee Community Organisation
SBS	Southall Black Sisters
SOCA	Serious Organised Crime Agency

TCN	Third Country National
UK	United Kingdom
UKBA	United Kingdom Border Agency
UKHTC	United Kingdom Human Trafficking Centre
UN	United Nations
UNODC	United Nations Office on Drugs and Crime
VOT	Victim of Trafficking

## LIST OF IMAGES AND SOURCES

1. IMAGE 1: Taken (2008). Available:  
[http://www.google.co.uk/images?hl=en&q=taken+2008&um=1&ie=UTF-8&source=univ&ei=ljH5TN-CJ8G0hAeC\\_MT-CA&sa=X&oi=image\\_result\\_group&ct=title&resnum=9&ved=0CIABELAEMAg&biw=925&bih=448](http://www.google.co.uk/images?hl=en&q=taken+2008&um=1&ie=UTF-8&source=univ&ei=ljH5TN-CJ8G0hAeC_MT-CA&sa=X&oi=image_result_group&ct=title&resnum=9&ved=0CIABELAEMAg&biw=925&bih=448)  
[date accessed on line 02.06.10]
2. IMAGE 2: Lilya 4-Ever (2002). Available:  
<http://www.soundtrackcollector.com/catalog/soundtrackdetail.php?movieid=57697>  
[date accessed on line 02.06.10]
3. IMAGE 3: Human Trafficking (2005).  
<http://www.amazon.com/Trafficking-Sutherland-Isabelle-Sarah-Jeanne-Fanny-Laure/dp/B000ETR9VU>  
[date accessed on line 02.06.10]
4. IMAGE 4: The Journey. Available:  
<http://www.helenbamber.org/IAmElena.html>  
[date accessed on line 02.06.10]
5. IMAGE 5: Look Beneath the Surface poster. Available:  
[http://www.acf.hhs.gov/trafficking/campaign\\_kits/tool\\_kit\\_social/lbs1\\_03\\_22\\_05.pdf](http://www.acf.hhs.gov/trafficking/campaign_kits/tool_kit_social/lbs1_03_22_05.pdf)  
[date accessed on line 09.06.10]
6. IMAGE 6: Stop the Traffik poster (2009). Available:  
<http://www.stopthetraffik.org/getinvolved/resources/posters.aspx>  
[date accessed on line 26.11.09]
7. IMAGE 7: Crimestoppers Blue Blindfold café poster. Available:  
[http://www.blueblindfold.gov.ie/website/bbf/bbfweb.nsf/page/PCHK-7KLKHU15554420-en/\\$File/A4%20Cafe%20Poster.pdf](http://www.blueblindfold.gov.ie/website/bbf/bbfweb.nsf/page/PCHK-7KLKHU15554420-en/$File/A4%20Cafe%20Poster.pdf)  
[date accessed on line 26.11.09]
8. IMAGE 8: You're Not for Sale campaign – Talina (n.d.). Available:  
<http://www.coe.int/t/DG2/TRAFFICKING/COMICS/>  
[date accessed on line 10.01.10]
9. IMAGE 9: Council of Europe You're Not for Sale campaign – Anna and Sofia (n.d.). Available:  
<http://www.coe.int/t/DG2/TRAFFICKING/COMICS/>  
[date accessed on line 10.01.10]

10. IMAGE 10: Female snakehead Sister Ping (2008). Available:  
<http://online.wsj.com/article/SB122731000016149251.html>  
[date accessed on line 03.12.09]
11. IMAGE 11: Female trafficker Rubicela Montero (2010). Available:  
<http://www.hispanicallyspeakingnews.com/has-oido/details/little-village-madam-charged-with-human-trafficking/3174/>  
[date accessed on line 30.11.10]

## CHAPTER 1: INTRODUCTION TO THE THESIS

### 1.1 Introduction

This thesis is about women's stories of agency in a trafficking context. The United Nations 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children'<sup>1</sup>, provides an internationally recognised definition and set of trafficking benchmarks - under the criminal frame of the (2000) Convention against Transnational Organised Crime. According to this definition,

“‘Trafficking in persons’ shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs” (UN, 2000: 3a)<sup>2</sup>.

This combination of definition and benchmarks provides a defensible 'context of trafficking', ensuring integrity across this enterprise and international and domestic trafficking scholarship and research. Consequently, the thesis' working definition of a trafficking story employs the Protocol's criteria of a trafficking 'act', to examine recruitment and movement under a benchmark of consent; 'means' to explore trafficking related force under a benchmark of coercion; and 'exploitation' to address women's experiences across sexual, labour, and slavery-like practices. Collectively, they form the standard for exploration and inclusion of women's narratives, as trafficking stories.

Within a human trafficking context, this thesis is centrally concerned with women's stories of agency. Across the Social Sciences, the worth of story or narrative is well established as a conduit for reaching the experiences of

---

<sup>1</sup> This legislation is also referred to as the Palermo Protocol and often reduced to the Trafficking Protocol or, simply, the Protocol.

<sup>2</sup> According to the definition, children (under the age of eighteen) cannot consent to be trafficked, but adult consent is "irrelevant" only where the act, means, and exploitations in trafficking are applied (Article 3b).

persons who have lived through some form of social trauma <sup>3</sup>. Within feminist enterprises, the value of story is one of a naturalistic means of researching women's lives (Bryman, 2004). Stories exist to be told and lived wisdom relays more than just chronicles or tradition. It conveys what women think, feel, mean and achieve through being experts in their own experiences (Sered, 1992, Oakley, 1979; 1989; 1992). Consequently, the ability of 'story', to collect experience without causing undue harm to participants, lends itself to this joint feminist and social research enterprise.

'The thesis' gaze on agency' is firmly set on women, and their capacity and ability to make autonomous choices and decisions, in the context of a lived trafficking experience. Within the thesis, the term trafficking experience is often used in preference to one of a trafficking context, since women can and do move in and out of a trafficking situation. The thesis' intent is to challenge the prevailing official and singular victim discourse, which demarcates trafficking agency along a dualistic and opposing path from trafficking victimhood. The thesis contends that this dualism is disadvantaging and disempowering of women's capacity and achievement of agency within a trafficking experience. Given the nature of trafficking activity, women's agency, within this experience, is unavoidably located in a context of exploitation and gendered oppression – leading to the idea of relationship between the two. The thesis' goal is one of creating lived knowledge of trafficking agency through empirical research into lived experience. Given the depth and complexity in trafficking, this knowledge acquisition is confined to three broad areas: women's trafficking identities, their comprehension of events as subjects of trafficking, and their actions as the victims, beneficiaries, and perpetrators in contemporary trafficking movements.

## **1.2 Developing a theoretical framework for researching agency**

The task of challenging dualism and creating new knowledge requires a definition, paradigm and methodology, capable of embracing victimhood and agency as existing in relationship to one another. In this respect, Sen's (1999) political theorising of women's agency provides a working definition fit for meeting this challenge. As Sen observes, women's agency under patriarchal rules and systems is fundamentally constrained in ways that male freedom is

---

<sup>3</sup> For an example in narrative work with Holocaust survivors, see Bar-On, 1995; Bar-On and Chaitin, 2001; De Vries, et al, 2005.



not. This constraint is twofold and affects what Sen defines to be women's 'well-being freedom' (that is, their physical safety and economic security), and also women's 'agency freedom' (that is, their capacity to define choices and to construct the conditions affecting choice). This approach lends itself to the study of trafficking, particularly in light of the diversity within gendered global movements. These have been variously classified under positive and negative 'feminisations' in movement - as facets of migratory mobility (Agustin, 2003a; 2005a), economic dislocation (Viuhko, 2010; Wheaton et al, 2010), employment (Agustin, 2006a; 2007a), gendered unemployment (Kelly and Regan, 2000; Kligman and Limoncelli, 2005), poverty (Pickup, 1998), survival (Sassen, 2003) and development (Kabeer, 2007).

Applying a relational lens to feminised movement serves two purposes. Not only does it allow for the presence of intersections across population flows of trafficking, asylum and migration, but it also introduces space for transgression between totally forced and completely free decision making and choices (Kempadoo, 1998b; Sandy, 2009). Such theoretical positioning connects with both the structural and subjective push and pull factors influencing the global movements of women. Situating women's trafficking agency as equally open to the possibilities, as well as to the limitations informing other global movements, opens empirical research to view combinations and degrees of trickery, necessity, risk taking, exploitation, opportunity and women's achievement, at play when examining any contemporary movement.

Existing contribution from feminist social science research on agency, adds particular value to the argument for applying a relational lens to female agency in contexts of patriarchal oppression. Feminist scholarship within sex work (Bell, 1994; Chapkis, 1997), domestic violence (Mahoney, 1994; Kelly, Regan and Burton, 1996), and veiling (Taraki, 1995; Moghadam, 1998; Khan, 2007), for example, has established a living space for agency in a variety of contexts traditionally associated with women's victimhood (see chapter 2 for a review of this literature). Accordingly, in 'the thesis' search for agency', women's trafficking agency is reconfigured not in opposition to trafficking victimhood, but in relationship to it. The thesis engages this relational lens to theorise women's power and reveal signs of agency within gendered and essentially oppressive

influences surrounding victim ascription, assessment of experience, trafficking actions, and the lack of women's voices in the trafficking discourse.

Given the research goal for lived knowledge, the thesis privileges a feminist approach and qualitative methods, as best placed for engaging with women and their hard to reach and hard to tell stories. The problems of accessing hard to reach populations and collecting hard to tell stories formed central considerations within the methodology and proved instrumental to the final design and choice of tools. Cooperation across 'insiders' and 'outsiders' - that is, between gatekeepers sharing client experience and / or an aspect of socio-cultural location and a researcher without - proved invaluable to the success of this venture. Several organisations and networks facilitated trust, and created the conditions for naturalistic story collection, by harnessing their own relationship with clients to facilitate access. They also proved instrumental in smoothing emergent problems of interpretation, information anxiety and informed consent. (See chapter 3 for a full account of feminist principles, research design, and research participants).

Inaccessible and hard to tell stories also required and responded to a strong ethic of care towards women's voices within the research enterprise. Shared concerns over the imposition of outsider meaning onto insider experiences called for reflexivity, in the shape of Humberstone's (1997) deep reflection on the interview process and frequent questioning of the interview data, in order to safeguard properties of transparency and accountability. This explains the inclusion and volume of women's own voices, wherever possible, in the thesis' text. It also prompted the selection of a feminist constructivist approach to grounded theory analysis (Charmaz, 2002), for its lens on knowledge as a co-production between the researcher and the researched.

In these ways, the thesis' theoretical and research framework complements the goal for lived experience, and fills the research gap in trafficking knowledge surrounding the absence of women's voices in the trafficking debate. This absence of women's voices and shortage of empirical research is widely recognised amongst trafficking scholars (Salt, 2005; Brennan, 2005; Gozdzak and Collett, 2005; Kelly, 2005; Agustin, 2010). This gap is further compounded in the realisation of these scholars that, where presented, women's voices often reflect issues and concerns of principal value for the agendas, natures, remits

and budgets of their supporting agencies. As an independent researcher, privileging women's voices, the research escapes institutional expectation and bias for a particular and disembodied representation of a trafficking experience. Furthermore, the interactive process within qualitative and postmodern standpoint - which supports use of fieldwork findings to challenge what is known about trafficking, whilst simultaneously employing what is known to inform and enhance the empirical findings (Strauss and Corbin, 1990; 1998) - bridges the policy chasm between living subjects and social policy.

### **1.3 The contemporary backdrop to the research inquiry**

In addition to conducting empirical research with women subjects of trafficking, a number of professionals across the Government Enforcement Sector, the Non Governmental Sector, and community partnerships, were also approached for an interview. (See Appendix 1 for their details). This triangulation was chosen, as the fieldwork occurred during a 'golden' period of international policy progression towards improved care and rights for trafficked persons. As previously raised, the Protocol established an internationally accepted definition and set of benchmarks, forming the criteria for trafficking support. The Council of Europe (2005) Convention on Action against Trafficking in Human Beings<sup>4</sup> transposed this legal instrument into good practices – tasking ratifying countries with safeguarding the human rights of presumed trafficked persons. The UK ratified the Trafficking Protocol on the 9<sup>th</sup> February, 2006, and the Convention on the 17th December, 2008.

Two national initiatives, framing the period of fieldwork between December, 2008 and February, 2010, were introduced to prepare the UK terrain for delivery on its Convention obligations. These instrumental developments are introduced below and set the parameters for a more detailed analysis (in 1.4) of the UK policy position on human trafficking. As Goodey (2008: 431) astutely observes, in systems tasked with criminal justice performance and meeting the needs of victims, a victim centred response “indirectly” provides a means of addressing crime through the medium of victims. This bias, favouring the concerns of crime, is borne out by information gleaned during approved field work visits to the Competent Authorities (CAs) and premises housing the National Referral Mechanism (the NRM).

---

<sup>4</sup> This legislation is commonly referred to as the Convention.

### *Competent Authorities:*

On the 3<sup>rd</sup> October, 2006, the UK Human Trafficking Centre (UKHTC) opened as the national centre or Competent Authority, with legal responsibilities in human trafficking. Under the Convention, the term covers specific organisations with powers of decision making over presumed trafficked persons. The UKHTC mandate was to operate a multi-agency centre for excellence in human trafficking expertise. During the field work period, this co-ordinating centre had an operational team of thirty five. The staff team was weighted in favour of Police personnel, followed by administrators, three seconded staff (one from Social Services and two from Poppy<sup>5</sup>), and invited representatives from the civil sector. This brought in other, temporary, partners from academia, charities and community liaison - selected according to the particular working group remit at the time<sup>6</sup>.

### *The National Referral Mechanism (NRM):*

Article 10 of the Convention requires the Competent Authorities to implement a formal system for assisting staff in the proper identification and assistance of trafficked victims. As a ratifying member, the UK Government implemented a new National Referral Mechanism - launched on the 1<sup>st</sup> April, 2009 - with two formal routes for accessing victim status and trafficking services.

As a Police-led Competent Authority, the UKHTC carries the responsibility for one route; that of a presumed trafficked victim rescued as a result of a police raid or referred by any agency other than the UK Border Agency (UKBA).

As an Immigration-led Competent Authority, the UKBA carries responsibility for the other route; that of a presumed trafficked person who appears in the Immigration and Asylum systems.

Unlike the UKHTC, the UKBA has nine or ten Competent Authorities (spread across the country and based amongst other business units), who effectively work part time on a trafficking brief. In theory, they are positioned to deal with trafficking cases as and when they arise out of normal immigration business. In practice, mid-way through the fieldwork period, the UK Border Agency had an

---

<sup>5</sup> The Poppy Project (established in 2003) is a lead provider in trafficking services for women. During the field work period, it was in receipt of funding from the Office for Criminal justice Reform, which reports to the Ministry of Justice.

<sup>6</sup> This information was gleaned over the course of 2 official visits to the original and new office premises.

estimated staff of 25,000 people, located in over 130 countries, but an approximate staff group of only 40 case holders occupying such part time roles within the UK <sup>7</sup>.

In terms of the NRM outcome, a positive trafficking decision from either Competent Authority creates eligibility to state funded support and a 45 day recovery and reflection period, which may result in a one year residence permit (Home Office, 2007: 57). A negative trafficking decision from either CA, results in a person's re-referral to their original project for support, and may open the floodgates for criminal justice and immigration actions, based on assessments of culpability, criminality and illegality. Given that the consent of a 'victim' is required to make a referral to the NRM, anyone withholding consent is unable to gain a victim of trafficking (VOT) status or to access state funded trafficking support, leaving them and their support agency "with no recourse to public funding". This singular statement relayed a haunting reality, present in the destitution of participating women and the moral consciousness of supporting agencies.

#### **1.4 The UK policy position on human trafficking**

The UK Governmental stance on trafficking follows the 3 P's of trafficking: 'Prevention' of trafficking, 'Protection' of victims and 'Prosecution' of offenders (CoE, 2005: Article 1; (Home Office, 2007:1) <sup>8</sup>.

The central dilemma facing human trafficking provision (when positioned under the UN serious organised crime umbrella) lies in its dualistic task of protecting and supporting the victims of trafficking crime, by simultaneously preventing its commission and prosecuting the perpetrators. As Goodey (2008:433) observes,

"Policy responses to human trafficking, unlike many other areas of organised crime, do focus on victims through programmes that address prevention and protection. However, it is debatable whether the current focus on trafficking has yet reached a 'socialisation of criminal policy'" [as opposed to a 'criminalisation of social policy'].

Applying Edwards' and Gill's (2003) theorising on transnational organised crime to the context of human trafficking, Goodey describes how a crime lens places

---

<sup>7</sup> As per the UKHTC, this information was gleaned during an approved visit to UKBA premises.

<sup>8</sup> The Protocol (2000: Article 2) states its purpose in terms of prevention, protection and promotion of cooperation among States Parties, in order to combat trafficking.

the needs of security and criminal justice over the needs of victims and societies in which the activity takes place. This is clearly reflected in the Coalition Government's four priorities on trafficking, which it sets out as

“a strengthening in work with countries where criminal gangs are based; improving the co-ordination of policing efforts in the UK to tackle trafficking; using the new National Crime Agency with its border policing responsibilities to improve security and provide a stronger deterrent at the border;” and “working with professionals to improve help for victims of trafficking” (Home Office Press Release, March 2011a).

An overview of the UK's key legal obligations (and, where relevant, its future intentions) on tackling human trafficking through criminal justice enforcement and victim services, illustrates this inherent tension in the system to good effect. Moreover, (and in line with the thesis' interest), it reveals how space is made for women's agency in the lone arena of criminal agency. Women's stories, as subsequently explored in the thesis, reveal the precariousness for other aspects of agency - for example, risk taking and consent - from this particular type of agency.

Before commencing any overview of governmental policies, it is vital to acknowledge the devolved administrations of Scotland, Wales and Northern Ireland <sup>9</sup>. This section confines itself solely to measures required of the UK Government as a ratifying state. As such it does not engage with localised variations in policing practices, victim delivery and country specific laws for prosecuting traffickers. Key obligations advancing the human rights of presumed trafficking victims will now be introduced and viewed through a crime lens on trafficking care and trafficking control, noting implications for criminal agency as relevant.

*Recovery and Reflection Period: (CoE, 2005: Article 13)*

This Article requires member states to grant victims a minimum stay of 30 days in the identifying country, allowing them safe time to escape their captors and decide if they wish to cooperate with law enforcement agencies. During this period, not only do victims have the legal right to remain in the identifying

---

<sup>9</sup> For details of difference in trafficking implementation, see ATMG (2010: Appendix 6).

country, but this right is independent of their cooperation, or lack of cooperation, with official investigations against their traffickers.

At first blush, the UK Government's (Home Office, 2008: 3) update to the 2007 'Action Plan on Tackling Human Trafficking' surpasses this, by endorsing a 45 day recovery and reflection period, premised on a high victim impact from trafficking. However, according to Abigail Stepnitz (national co-ordinator of the Poppy Project and Eaves Housing charity), the average length of treatment at Poppy (which supports up to 128 women at any given time) averages between three and eight months, dependent upon an individual's circumstances (Guardian 2011b). The Home Office Explanatory Memorandum on the Convention (Home Office, 2009a: Command Paper CM7465: 32) recognises this tension between victim and investigation needs, in the deliberations over a time frame

“...there are significant benefits to be gained from exceeding the 30 day [Convention] period but 90 days as a minimum is more than many victims would require and could impede immigration and criminal justice processes”.

The Anti-Trafficking Monitoring Group's (ATMG, 2010) evaluation of the UK response to the Convention provides further challenge of a harmonious co-existence, based on complaints of official behaviour during this 45 day period. By actively pursuing asylum inquiries and court proceedings in this early stage, the ATMG judged authorities as openly prioritising enforcement to the detriment of the recovery process.

Although the new EU Directive (EUD, 2011) on 'Preventing and Combatting Trafficking in Human Beings and Protecting the Victims' contains no changes to recovery and reflection, it endorses other measures improving the balance between care and enforcement needs. The fact that criminal investigations would no longer depend upon obtaining and producing a witness statement (Article 9), provides victims with greater capacity for trafficking recovery. Given the UK intention to opt into the EUD (announced on 22<sup>nd</sup> March, 2011) the Government has a period of grace in which to become compliant.

*Residence Permit: (CoE, 2005: Article 14)*

This Article obliges Competent Authorities to renew victim residence permits, owing to personal situation or in order to facilitate a criminal investigation and prosecution. The non-renewal of a residence permit falls to the discretion of domestic governance, but the UK exceeds the Convention's suggested six months, by granting twelve month permits (Home Office, 2008: 3). The explanation provided in the Command Paper (Home Office, 2009a: CM 7465: 36) suggests a balancing of victim and law enforcement needs behind the twelve month period, "enabling victims to cooperate in criminal investigations and provide greater security for them".

Yet, in the course of a twelve month evaluation of governmental compliance with the Convention, the Anti-Trafficking Group (2010: 54 and 102) found that over 10% of people granted a positive trafficking assessment on 'reasonable grounds' continued to be held in custodial or detention centres. Examples of discrimination in the allocation of residence permits to nationals, both from outside of the European Union and the European Economic Area <sup>10</sup>, have led the ATMG (2010: 13) to suggest there is a qualifying 'hierarchy' of victims, disadvantaging these classifications of voluntary and forced migrants.

In further strengthening the human rights of victims over the needs of security, the preamble to the EU Directive (2011: paragraph 7) raises additional discrimination faced by third country nationals (TCN's) <sup>11</sup>.

*Non Punishment Provision: (CoE, 2005: Article 26)*

This Article provides for the "possibility of not imposing penalties on the victims of trafficking, for any unlawful activity, where traffickers may have "compelled" their involvement. Once again, this falls under domestic jurisdiction and a country's legal capacity to allow for such discretion. This Article was designed to protect the victims of trafficking coercion from further human rights abuse via improper punishment for prostitution and immigration related offences (as in having false documents or no papers). During the fieldwork, the CPS position

---

<sup>10</sup> The European Economic Area allows its members movement and participation in the European Market, without having to apply to become an EU member country.

<sup>11</sup> The term Third Country National (TCN) refers to an individual who applies for a visa in a country of transit, between their country of origin and their end destination country. Within the European Union, the term is used interchangeably with foreign national (any migrant who temporarily resides in, but is not a citizen of the EU country), or a non-EU foreign national.



against blanket immunity under trafficking was in a process of public consultation and policy revision. As the fieldwork neared completion, the CPS issued Human Trafficking and Smuggling Guidance on the Convention (CPS, 2010: 29), which contained the following guidance:

“If new evidence or information obtained supports the fact that the suspect has been trafficked and committed the offence whilst they were coerced, consider whether it is in the public interest to continue prosecution. Where there is clear evidence that the suspect has a credible defence of duress, the case should be discontinued on evidential grounds”.

As identified by CARE (2010: 2), the EU Directive (2011: Article 8) progresses the Convention position on non-punishment, by widening victim’s rights to include not being taken to Court for prosecution, in addition to not receiving a penalty:

“Article 7 goes further than the European Convention which requires the ‘possibility of not imposing penalties’ (Article 26) but makes no mention of not prosecuting a victim. The UK is already not imposing penalties (but is prosecuting) in certain cases”.<sup>12</sup>

*Assistance: (CoE, 2005: Article 12.1 a-e)*

This Article stipulates five minimum standards in the “physical, psychological and social recovery” of victims. These cover secure accommodation and an adequate standard of living; emergency access to medical treatment; any necessary translation and interpretation services; counselling and rights based information; and legal help. Article 12.6 further dictates that this assistance “is not made conditional” upon victim cooperation as a prosecution witness.

The access, quality and provision of trafficking services create a strain between the official execution of criminal justice duties and the servicing of victims’ needs and rights. These issues are amply covered in the ATMG (2010) Report. In sharing my participants’ gaze on trafficking assistance, focus moves beyond the cold impact of policy to a qualitative appreciation of salient lived realities. A shortage of resources means unwelcome interruptions to health care, children’s schooling and settled accommodation. The threat of involuntary removal favours immigration decisions over a VOT status. Life outside the NRM process

---

<sup>12</sup> Article 7 becomes Article 8 in the final EUD text

constitutes destitution, by denying women access to state sanctioned trafficking supports. Referral to the NRM invites assessments of criminal agency and culpability. These and affiliated concerns carry contribution in favour of women-centred policy improvement. In sharing lived experience, women's stories relay the depth of their abilities, expertise and achievements, alongside the constraints, in being the policy subjects of trafficking.

*Gender: (CoE: Articles 1 and 17)*

These Articles promote "gender equality", in protecting and promoting the human rights of trafficking victims across the development, implementation and assessment of its trafficking measures. It takes particular account of the "special situation" which "women and children" pose to correct identification and trafficking services (outlined in Articles 10-17), and affirms an anti-discriminatory stance on all aspects of difference (Article 3).

In further legislating to strengthen the prevention of trafficking crime and protect its victims, the EUD (2011: Article 1) emphasises "taking into account the gender perspective". The preamble to the text (paragraph 3) locates this in recognition of trafficking as a

"gender-specific phenomenon... and that women and men are often trafficked for different purposes. For this reason, assistance and support measures should also be gender specific where appropriate".

In light of the above, the Coalition Government's allocation of a £6 million contract, from the regular provider of the Poppy Project to a new service provider in the Salvation Army, is openly controversial. The new funding model is premised on two halves:

"specialist support" [and] "a more comprehensive system of care that will take better account of the particular needs of individual victims" (Hansard, 2011 : Column 979).

With regard to the first, the Trafficking in Persons (UNODC, 2009) Global Report confirms women to be the majority subjects in trafficking <sup>13</sup>, and Poppy carries international recognition for providing a specialist support service to

---

<sup>13</sup> Based upon available age and gender records, the UNODC's Global Report on Trafficking in Persons (2009: 11) determined 66% of known victims to be adult women; 13% girls; 12% adult men; and 9% boys.

women, as the gendered victims of trafficking and other violent and sexual crimes. In an interview for the Guardian, Poppy attributes its loss of funding to a renewed emphasis from Government on trafficking crime control. According to Abigail Stepnitz (Project Co-ordinator), not only does Poppy hold success in supporting women, but it has a skilled record in appeals - overturning 17 UK Border Agency decisions (Guardian, 2011b).

With regard to the second, the Salvation Army's ministry to all persons, irrespective of gender, can be read as better delivering on a comprehensive system and official preoccupations with growing numbers of male victims in trafficking.

In terms of the thesis lens on agency, this singular issue of gender can also worryingly be seen as connecting with older agendas concerned with the rescue and regulation of women and their sexuality. These are visible in the contrasting 'mission' statements of the two organisations: one based in a paternal deity and moral duty of care; the other favouring empowerment.

"The Salvation Army is a worldwide evangelical Christian Church and human service agency. Its message is based on the Bible; its motivation is the love of God... Its mission is to proclaim his gospel, to persuade people of all ages to become his disciples and to engage in a programme of practical concern for the needs of humanity. Its ministry is offered to all persons, regardless of race, creed, colour or gender". (Mission Statement, 2011)

Compared with:

"A London based feminist charity providing supported housing to vulnerable women, women trafficked into prostitution, and those who have experienced domestic violence...The Poppy Outreach Service works to improve the safety and wellbeing of women from all over the UK who have been trafficked and who are in need of short-term support and advocacy... At Eaves, we put the needs of women first. We are determined to give a voice to the most excluded women in society and provide direct, innovative services to support and empower women to help themselves". (Poppy Project website, 2011)

It is also visible in responses to the funding decision, by the two organisations:

"We are a faith-based organisation and we are motivated by our faith, but it's really important that we provide holistic care for all those who come under the auspices of our care" (Salvation Army spokesperson, Guardian: 2011a)

Compared with:

"But really it is about getting women to the stage where they have their freedom back" (Poppy representative - Leigh Ivens, Observer: 17. 4. 2011).

Although both organisations cater for some of society's most vulnerable citizens, their contrasting ideologies reignite longstanding and opposing discourses surrounding women's victimhood and their capacity and requirement for agency.

My final consideration in the UK position on trafficking, and one central to the empirical findings, is that of trafficking's definitional remit and scope.

*Definition: (CoE, 2005: Article 4 a-e)*

The Convention reaffirms the definition set out in the leading international framework on trafficking – the UN Protocol – and upholds its positions on adult and child consent.

The EUD (2011: Article 2) extends this existing trafficking scope to include forced "begging", the "exploitation of criminal services" (in the context of victim exploitation), and the "exchange or transfer of control" over a person (in addition to the 'act' of recruitment stated in the definition).<sup>14</sup>

Whilst these additions would help to tip the balance further in favour of VOT rights and care, both the Explanatory Memorandum (COM, 2010: 95) and the House of Commons European Scrutiny Committee (March, 24<sup>th</sup>, 2011) omit any mention of forced marriage under the umbrella of either trafficking crime or care. In contrast, the Preamble to the Directive (2011: paragraph 11) clarifies the European perspective as one of acknowledgement for the inclusion of marriage in a context of trafficking:

---

<sup>14</sup> Whilst the inclusion of forced begging brings particular protection for (Romany) children, the latter two inclusions benefit both children and adults. In terms of research participants – this extended definition would have benefitted Tijana (who was trafficked into the UK for criminal service) and Ikra (who was initially smuggled and then trafficked).

“The definition also covers trafficking in human beings for the purpose of the removal of organs, which constitutes a serious violation of human dignity and physical integrity, as well as, for instance, other behaviour such as illegal adoption or forced marriage in so far as they fulfil the constitutive elements of trafficking in human beings”.

The UK current (and prospective) lack of recognition of a place for forced marriage within its trafficking response, forms a central consideration within participant stories – many of whom were trafficked into the UK, and for one woman trafficked out of the UK, for forced marriage. It is a policy gap appraised in Chapter 7 for its contribution to new knowledge, and prioritised by women for policy review in Chapter 8. Whilst chapter 8 connects women’s own policy improvements with current and future EUD (2011) policy recommendations, the UK official position is perhaps best summarised in the Coalition Agreement of May last year:

“We will approach forthcoming legislation in the area of criminal justice on a case by case basis, with a view to maximising our country’s security, protecting Britain’s civil liberties and preserving the integrity of our criminal justice system”. (The Coalition, 2010: 19)

### **1.5 Themes and departures**

In challenging the lack of agency for trafficked women, outside the precarious attribution of criminal agency, this research does not seek to replace one homogenising trafficking experience with another. Rather, it engages with trafficking experience as situated, partial, interpretive, and temporal. Consequently, women’s voicing of their social realities is centred at the heart of this knowledge creation. The empirical lens is firmly on women’s ascription and capacity for self actualisation in a trafficking experience, and privileges the meanings, thoughts, feelings and interpretations women ascribe to their own stories of agency, trauma and transgression.

In recognition of contemporary human trafficking activity, as an evolving phenomenon under globalisation, the thesis supports the adoption of a multi-disciplinary lens for understanding the complexity and diversity within modern movements. Although the study is both UK and criminal justice centric, the thesis is grounded in an appreciation of the intersections across migration –

crime - and – security, and assimilates the depth and richness brought by perspectives from other disciplines - namely, migration, refugee studies, and modern slavery. This begs a cautionary note: for whilst trafficking does not lie wholly outside of migration and refugee experience, the trafficking combination of ‘act’, ‘means’ and ‘exploitation’ differentiate it from other forms of global movements.

In presenting women’s trafficking experiences, there are a number of key themes which re-occur throughout the thesis. One such theme is dualistic thinking, and its differential construction of women as trafficked or economic migrant; innocent ‘Madonna’ or undeserving ‘whore’ (Doezema, 1998); forced victim or free agent; oriental and passive third world woman (Lyons, 1999) or liberated and Western sex worker (Doezema, 1998; 2000a; 2000b).

Another theme is relational thinking and intersection - For example, across agency and victimhood; across the nexus in trafficking, migration, and gendered movement; in responses straddling crime, security and the human rights of presumed trafficked persons. In addition to this, the thesis applies relational thinking to the definition of trafficking as a package involving act, means, and exploitation (as opposed to a solitary event of trafficked / not trafficked), and to continuums and degrees within concepts and expressions of choice, exploitation and freedom (O’Connell Davidson, 1998; 2006; Anderson, 2007).

Other remaining and recurring themes throughout the thesis concern women’s reification (Hitchcox, 1993) as the passive victims of trafficking, and their ‘remaking of self’ (Buijs, 1993) via assimilation and agency in the host society. These illustrate the interplay and effects on women’s agency from official actors and professional responses, and show women’s departure from the dominant and popular perspective of a passive and helpless VOT.

## **1.6 The thesis structure**

This section outlines how the focus on agency, in a context of trafficking oppression, is set out in the thesis. Given the empirical interest in women’s stories, each chapter takes a different aspect of trafficking experience and develops insight into women’s agency. The decision to present information thematically was based on its potential for deeper insight, given the diversity of experience and the limitations of space and time. The inclusions of HT

professional interviews are there to provide complement, not validation, of women's perspective, since women's lived realities are sought.

Chapter 2 reviews theoretical approaches, the discourses, and the literature on agency, for their value in informing empirical research into women's trafficking related experience. The chapter opens with the populist conception of agency, in opposition to victimhood, and the binaries this generates. It suggests a relational lens on power, structure and agency, as well placed for researching women's situation in oppressive contexts (Mahoney, 1994). It does this by engaging with feminist literature to deconstruct dualistic power, taking in key discourses of the social contract, the prostitution exchange and felt power. The chapter closes with a review of feminist re-workings of agency, in the contexts of DV, Islamic veiling and migratory literature.

Chapter 3 presents the feminist and qualitative underpinning of the research approach. It explains the epistemological rationale and choices behind the methodology, methods and analysis of empirical data. It centrally connects with a feminist constructivist approach to grounded theory (Charmaz, 2002), as respectful of knowledge as reflexive and co-created. It foregrounds the semi structured interview as a rich source of "practical production" (Fontana and Frey, 2000: 664) and the focus group as a naturalistic method of collecting stories (Bryman, 2004). The chapter reflects back (Harding, 1991) on the problems of accessing hidden and vulnerable populations and their hard to tell stories. This chapter introduces the participants in the research collaboration.

Chapter 4 engages with how trafficking identity is viewed by the women subjects of trafficking. It critiques the imagery of the VOT as setting the victim discourse in identity, and the process of reification for managing social problem groups. It then centrally connects with how women convey both a sense of their trafficked selves and their pre-trafficking personas to others, as well as the role served by the trauma story (Kleinman and Kleinman, 1997) in sustaining an official singular victim discourse.

Chapter 5 explores how experience is viewed by the subjects who live out trafficking. It locates trafficking movement in the nexus with migration, addressing push / pull factors and posing challenge for the construction of easy duals across motivations and movement. By raising some of the definitional and lived complexities within the benchmarks of trafficking – consent, force and

exploitation - women's stories depict truer narratives embracing elements of agency and victimisation. These stories embracing opportunity and constraint pose difficulty for official assessments of trafficking.

Chapter 6 celebrates the ways in which women, with a trafficking experience, come to realise their well-being and agency freedoms. It foregrounds the criticality of voice for sustaining the self under suffering (Morris, 1997), and reframes women's power in their adaptive qualities and ability to survive. Following refugee and asylum scholarship, the chapter privileges agency in the four areas of social practices, education / employment, consumer freedom and sexual agency. The chapter raises the relationship of professional actors in assisting agency, and presents explanation for why official policies preference one type of agency over the other.

Chapter 7 advances trafficking agency as harmed by UK dislocation with progress at an international policy level. It interrogates two major sites of policy dislocation: the first surrounding the absence of a sex work choice in the prostitute subject of trafficking; the second concerning protections for the marriage subject in a context of trafficking experience. The presence of trafficked women in contemporary trafficking activity, and their rewards from economic crime, is explored in terms of transgressive agency. Women's precarious role, as both victims and beneficiaries, provides further argument for a relational lens on trafficking victimhood and trafficking agency.

Chapter 8 is the concluding chapter and it presents women's own suggestions for policy improvements, as set out against current and future UK social policy intentions, particularly towards the new EU Directive (2011). The chapter concludes in feminist praxis <sup>15</sup>, highlighting women's policy suggestions alongside a professional 'wish list' for professional development, and this researcher's return to participants, via an educational and a training initiative. The thesis now turns to the discourses and literature on agency, for their value in theorising a relational lens on women's trafficking agency.

---

<sup>15</sup> Praxis connects research and practice and covers knowledge which mediates public policy.



## **CHAPTER 2: SEEKING AGENCY - ARGUING THE CASE FOR RELATIONAL KNOWLEDGE AND SUBJECTIVE UNDERSTANDING OF WOMEN'S AGENCY AND VICTIMHOOD**

### **2.1 Introduction**

This literature review is concerned with the search for agency. Contrary to expectation, there is relatively little in the way of feminist or collective literature addressing the concept of women's agency in the area of contemporary Human Trafficking. This represents a source of concern for feminists, particularly in light of the emerging body of work on non free migration that has also come to be known as trafficking. In the context of a global migration process, both the trafficking in persons and non free migrations are typified in movements using coercion in order to exploit. This exploitation exists in a variety of formulations which include sexual exploitation, bonded labour and forced marriage, slavery and other forms of servitude, as well as the sale of organs. Yet in spite of the diversity in nature, characteristics and processes comprising contemporary trafficking, agency exists in a linear discourse and timeless frame of disempowerment concerning the actions of women in various economic, cultural, sexual and social contexts. A London march led by Emma Thompson on the 19<sup>th</sup> of September, 2007, involved 'mourners' filing behind a horse drawn hearse, imaging Human Trafficking in pain, suffering, victimhood and death <sup>1</sup>. "I am a Slave" dramatized a woman's fight against domestic slavery in 2008 <sup>2</sup>. The Body Shop added an additional value of ending sex trafficking to its fair trade policy in 2009 <sup>3</sup>. "Sex Trafficking Gang Offered Young Virgins to Wealthy Arabs" (Guardian, 14. 09. 2010a) typified tabloid interest with trafficked slaves throughout 2010, and continues in "Modern Slavery" headlines in 2011 <sup>4</sup>. In this respect, the contemporary lens on trafficking appears to have reproduced the standard victim narrative within the newer terrain on trafficking and migration. Whether acknowledged as a form of modern slavery or as a facet of globalised migration, a discourse in the ways in which women exhibit agency in the context and course of movement remains wanting.

---

<sup>1</sup> Coverage of this march appeared in the Metro Newspaper on 19<sup>th</sup> September, 2007.

<sup>2</sup> This drama was first aired by Channel 4 on 30<sup>th</sup> August, 2008.

<sup>3</sup> This campaign was promoted via a high street customer petition.

<sup>4</sup> As example, see "Human Trafficking is Modern Slavery" (Guardian, 02. 07. 2011c) and "Modern Slavery - the Reality" of forced labour (Guardian, 12. 09. 2011d).

## 2.2 Chapter outline

The chapter begins by addressing the populist and oppositional construction of agency in prostitution and sex work. It considers the barriers this raises for a subjective understanding of the relational nature of experience within stories of trafficking and migration (2.3).

The chapter moves on (2.4) to explore the reasons for a renewed interest in agency by feminists and to the complexities of female, as opposed to male agency. It reveals how engaging with subjectivity allows for a relational lens through which women's agency freedom in the face of structural barriers to equality and power can be seen. A discursive focus on subjectivity also raises women's sexual agency, by creating space to revisit subjective meanings of prostitution and trafficking, which have become essentialised and racialised through oppositional theorising. It additionally provides space for recognition of the variety of ways in which women use their bodies for subjective embetterment and well-being agency.

The third section (2.5) considers the role of oppositional theorising in the construction of power and in the creation of what have been called 'partial' or 'dangerous' truths (Plumwood, 1993; Agustin, 2007a) and 'pernicious dichotomies' (Dunn and Powell, 2007). Addressing truths and fictions as contained in the sexual contract, it argues a place for subjective power - based on a relational view of power and oppression - as best placed for understanding the way women experience, interpret, feel and deploy sexual power. Similarly, comprehending agency freedom in terms of subjective power, of how agency is experienced by women in the context of structural oppression, broadens the theorisation of women's agency beyond the simple dichotomy of victim / agent, survival / advancement and into a discourse of relationality between the two.

The fourth section (2.6) addresses feminist reconfigurations of agency in other areas of gendered and structural inequalities, for example, domestic violence, Islamic veiling and migration. It explores how reconfiguration outside the victim / agent dualism creates a space for lived experience and women's felt ability and capacity for action. It also considers the application and value of a relational lens for the discourse in trafficking. As Kempadoo (1998a: 9) observes

“Prostitution appears to be one of the last sites of gender relations to be interrogated through a critical feminist lens that assumes that women are both active subjects and subjects of domination”.

The final section (2.7) consolidates how agency is to be understood within the context of the research thesis. The section argues for a subjective understanding of the relational nature between agency and victimhood / structure and agency. It also argues for a subjective understanding of the ways in which women experience, negotiate, interpret and feel power, to exhibit well-being and agency freedom under patriarchy and the globalisation of trafficking and movements for sex (Mahoney, 1994; O’Connell Davidson, 1998; Ci, 2005). It is hoped that in providing for a subjective understanding of agency, in which women can act for themselves as well as be acted on, a relational discourse will take an important step forward in finding and granting women their agency.

### **2.3 Populist constructions of agency in prostitution and sex work**

In the transnational arena of feminist politics, the discourse in trafficking has almost exclusively centred around a focus on prostitution. This is clearly countenanced as far back as the 1904 International Agreement for the Suppression of the White Slave Trade (La Strada, 1904), which formed the first in a raft of legislation equating the movement of women with trafficking for prostitution and sexual exploitation. This conceptualisation has endured the passage of time and is enshrined in policy spanning the 20<sup>th</sup> century (1910, 1921, 1933, 1949, 1979, 1993, and 1995) <sup>5</sup>. It also clearly appears in contemporary law under Article 3(a) of the UN Trafficking Protocol.

As most feminists concede, the Protocol’s recognition of trafficking as ‘forced’, as opposed to ‘voluntary’ prostitution, constitutes a useful advancement in the task of providing a definition of trafficking. However, it fails to resolve the schism within feminism over the meaning of prostitution. This schism is between the

---

<sup>5</sup> For coverage of the legislation, see the following: UN Convention (1949) *for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others*; General Assembly (1979) *Convention on the Elimination of all Forms of Discrimination against Women*; World Conference on Human Rights (1993) *Vienna Declaration and Programme of Action*; UN (1995) *Report of the Fourth World Conference on Women*, Beijing, 4-15<sup>th</sup> September, 1995.

two main factions of Radical Feminism and Sex Work Feminism and their distinctive positions on sexual violence and sex work. Although both feminist camps can agree on the exploitative and abusive practices which occur within trafficking and non free migrations for sex, their oppositional views on prostitution have constructed a dichotomy over agency within trafficking and movements for sex, which theorises them in opposition to the other.

Radical Feminist ideology perceives trafficking to be the political and global dimension of men's sexual violence against women. It is labeled an essentialist perspective because male sex right is universally claimed to dominate and suppress women across all "races, classes, [and] state boundaries" (Barry, 1995: 11). This position, shared by abolitionists such as Barry (1995) and Jeffreys (1997) holds that prostitution - as the sum of male power / female subordination - is by its nature a form of violence, and so formulates the "cornerstone of all sexual exploitation" (Barry, 1995: 9).

Under this radical feminist gaze, any possibility of distinction between forced and voluntary prostitution becomes fallacious, as women cannot be expected to freely consent to prostitution in these circumstances. From a radical feminist perspective, the only truly free choice open to a woman is one to exit prostitution. From this ideological position, women are denied any and all agency in relation to choosing or remaining in prostitution or movements for sex, as women cannot act for themselves under conditions of subordination and oppression. As Barry (1995: 24) explains:

"prostitution, with or without a woman's consent, is the institutional, economic, and sexual model for women's oppression".

This theorisation of a lack of agency for prostitute women who are all trafficked into their situation, leads to the formation of victim identities which, in the words of Piper (2005: 16), "typically results in an alarmist tragic victim discourse" for women. Underlining this lack of agency, rape is often used to illustrate this victimhood. For Radical Feminists, rape and "prostitution sex" (Barry, 1995: 37) or 'paid rape' (Raymond, 1998) are "undifferentiated for the women who are its vehicles" (Barry, 1995: 37). In other words, the acts of rape and prostitution have become "falsely separated" precisely through oppositional discourse over issues of consent and force (Barry, 1995: 90). The exercise of male sex right

and privilege in prostitution always involves the violation of the person (force) and, accordingly, no real or actual consent can be given. As Jeffreys (1997: 348) asserts, to present prostitution as anything other than an inherently oppressive practice under patriarchal capitalism is to justify “the idea that there can be a good and reasonable form of men’s abuse of women in prostitution”. In the Radical Feminist discourse, women are universally essentialised as victims, denied any and all agency and lacking in sexual power. As a consequence of this, anti-trafficking measures require nothing short of the abolition of prostitution and the elimination of its markets in commercial sex.

In contrast, Sex Work Feminists argue that to penalise women engaged in prostitution and other practices involving the sale of sex is tantamount to a denial of their human right to self determination and to their capacity for self-actualisation. To quote the Global Alliance Against Traffic in Women (GAATW), a firm supporter of the distinction between forced and voluntary prostitution:

“Traffic in persons and forced prostitution are manifestations of violence against women and the rejection of these practices, which are a violation of the right to self determination, must hold within itself the respect for the self determination of adult persons who are voluntarily engaged in prostitution” (cited in Doezema, 1998: 37).

In a reaction to the essentialism in Radical Feminism over prostitution as sexual violence and trafficking as sexual exploitation and forced labour, a sex work discourse introduces possibilities for an identity outside that of a passive victimhood. If, in sex work, prostitution is ascribed meaning outside of a universal essentialist definition, then as Sullivan (2003: 78) suggests,

“women are seen to have at least some agentic capacity as workers in a globalised world economy”.

Under the generic umbrella of a sex work discourse, there have been a number of significant reconceptualisations of prostitution as empowering, transforming and as resistance. Perhaps one of the most celebrated is Chapkis’s concept of the prostitute as an erotic, liberated performer in which

“Practices of prostitution, like other forms of commodification and consumption can be read in more complex ways than simply as a

confirmation of male domination. They may also be seen as sites of ingenious resistance and cultural subversion...the prostitute cannot be reduced to one of a passive object used in male sexual practice, but instead it can be understood as a place of agency where the sex worker makes active use of the existing social order” (Chapkis, 1997: 29- 30).

In this interpretation, prostitution is seen as more than mere work. It is actively capable of altering understanding of the social and contributing to the construction of new and alternate knowledge.

In another re-working, the post modernist Bell examines agency in prostitution from her theorisation of sex work as the discursive product of modernity. Since prostitution and sex work carry no intrinsic meaning here, Miriam explains how meaning is opened out to differential interpretations, depending upon the nature of the production (Bell, 1994 cited in Miriam, 2005: 8). From this standpoint, the meaning of prostitution can be rewritten and reinvented according to the particular discourse of a culture, group or individual – enabling it to encompass both contemporary and empowering re-workings of prostitution. Significant and powerful imagings connect contemporary prostitution discourse to resistance (Pickup, 1998; Kempadoo and Doezema, 1998; Kempadoo, 2005; Piper, 2005), to empowerment (Shrage, 1994) and, significantly for Bell, to perceptions of the American prostitute performance artist as a “sexual healer, goddess, teacher, political activist and feminist” (cited in Miriam, 2005: 8). In Bell’s theorisation, the prostitute identity - as fluid and as capable of signifying more than one persona - removes the need within essentialism of providing a definitive and singular account of what prostitution means.

A sex work discourse is, therefore, capable of recognising a distinction between forced trafficking and the free choice and worker agency in sex work and seeks only an elimination of the industry’s exploitative practices and not of prostitution ‘per se’. From this perspective, prostitution is no longer identified as the only site of trafficking as it encompasses any movement or migration, whether for sexual, domestic or other labour involving the use of force. In the theorisations of prostitution as sex work, women have identity outside of victimhood and through agency become principal players in the process of social transformation and female empowerment. Staying with the example of rape, a sex work

discourse not only distinguishes voluntary from forced prostitution but argues that failure to do so actively incites violence against women:

“If prostitution is rape, then it is logical to define prostitutes as women who are publicly available to be raped, and this is precisely the position taken by many police officers, judges and jurists around the world who refuse to accept that a woman who works as a prostitute can ever be raped (O’Connell Davidson, 1998: 122).

Just as discourse is widely recognised as part of the ‘relevant context’ for understanding and evaluating prostitution (Zatz, 1997; Sullivan, 2003), feminists privilege the relevance of subjective experience for capturing transfusions across trafficking and migration stories. Whether in the context of forced and free prostitution or between the forced movement of women in trafficking and the free choice within labour as migration, oppositional discourse creates barriers for subjectivity and relationality through its power to construct essentialist or totalising accounts of women’s experiences. Agustin highlights this power at play within each discourse as follows:

“significant diversity among migrant projects [and agency amongst migrant women] is effectively totalised as ‘trafficking’ by those anxious to protect exploited women, and offer an analysis of campaigns to define all migrant women selling sex as victims” (Agustin, 2006a: 31).

Equally, in a separate paper addressing the services performed by migrants, Agustin writes:

“To pay attention only to the jobs migrants do is to essentialise them as workers and deny the diversity of their hopes and experiences” (Agustin, 2003a: 391),

which Agustin shows can be both positive and negative ones. Agustin (2005b: 6) critiques the migration scholars, as in Ulf Hannerz, for fixing migrant identity according to the early stages of an experience. For Agustin, this represents yet another example of the universalising and enduring properties associated with identity (in this case ‘migrant’) based on experience as singular or static (in this scenario, the lack of fit or ‘cultural capital’) first experienced with being in a new environment.

Transporting this to the trafficking discourse, fixing identity on experience as victimising or agentic confirms women as powerful or powerless. Both constructions deny the complexity and fluidity of subjective experience, in which a woman may cross from more regulated domestic service to less regulated sex work for better pay, or find herself in increased debt and at odds with the police and with immigration, despite owning a legal contract of employment (O'Connell Davidson, 2006; Agustin, 2007a).

Ascribing identity based upon oppositional theorising of experience as forced or free presents a further restriction on subjective experience and relational knowledge through its delineation of women within prostitution into deserving and undeserving. Doezema (1998: 42) explains this in terms of women's guilt or innocence. "Voluntary" prostitutes who exhibit agency in challenging sexual mores are classed as "guilty" and deserving of the treatment they receive, whereas "forced" victims of trafficking for sex are identified as "innocent" and deserving of State help and services. Doezema challenges this binary as both artificial and dangerous for women's lived experience. Doezema (1998: 47) maintains that innocence determined by a woman's prostitute identity as trafficked or migrant, and not by the abuse she experiences, images women as "madonna" or "whore". In this scenario, violence against the 'whore' who chooses to sell sex, as opposed to the 'madonna' or woman trafficked into prostitution, is ignored by the authorities.

This fixing of women's identity as either innocent and undeserving of harm or guilty and deserving of what they get is one of concern to a number of other feminists. Goodey (2004) critiques a fixed identity for portraying trafficked women without proof of sexual or physical abuse as complicitous in their own exploitation. Harrington (2005) maintains the boundaries between who is granted a victim identity and who is accorded agency operates to protect selected individuals and adversely affects the treatment of non victims working in the Bosnia-Herzegovina and Kosovoan sex industries. Doezema (2000) challenges set identity for excluding women migrants subject to physical and / or sexual violence from claiming a victim status reserved for the 'trafficked' and, in this respect, Doezema (1998) joins Kempadoo, Sanghera and Pattanaik (2005) in condemning identities fixed by opposition, as threatening to the human rights of all women engaged in the sale of sex.



In the search for agency, therefore, such barriers against a subjective understanding of the relational aspects in identity and experience suggests that dualism can only go so far in developing a discourse in agency.

## **2.4 Renewed feminist interest in agency**

The feminist debate over trafficking provides a timely opportunity for feminists to revisit this dualistic paradigm. As Hirschmann (2003: 132) observes,

“While it would serve no feminist purpose to declare women’s agency where in fact they have none - or by implication to emphasize women’s agency to the point of implicitly holding them responsible for their victimization - it is equally problematic to deny this agency altogether. Both errors are unavoidable by-products of the failure to see the interaction of individual, institutional, and discursive oppression”.

In this respect, an academic lens on philosophical issues pertaining to women’s agency does not in itself advance the feminist search for agency. As Sen (1999) explains, if agency is understood to be the first and foremost requirement of freedom, and freedom has at its core both the ability of the self to make choices and to act on them, then women’s agency under patriarchy is constrained in a way in which male agency is not. This constraint is twofold and affects not only what Sen terms women’s ‘agency freedom’ (that is, their capacity to define choices and to construct the conditions of choice) but also their ‘well-being freedom’ (that is, women’s physical safety and economic security).

In order to qualify as a feminist discourse, women’s ‘agency freedom’ and their ‘well-being freedom’ need to be reconfigured in political terms, capable of recognising conditions under patriarchy and, in the case of a trafficking / migration story, the additional effects of a globalisation in sex and labour markets. Such political engagement with agency carries with it the ability to connect to the structural barriers of women’s power inequality and raises women’s agency in the face of such constraints. In the context of a trafficking / migration related story, agency is predominantly concerned with this relational aspect between structure and subjectivity, as exhibited through the push / pull dynamics in trafficking and what Outshoorn (2005: 148) and Agustin (2006a, 2006b) have renamed “prostitution related migration” and the sale of sex.

At their broadest and most embracing, the push factors of trafficking encompass any movements characterised by gender discrimination, economic necessity, sexual violence, victimisation and force <sup>6</sup>. Push factors are sustained by the demand and supply associated with socio - economic displacements (as in the “feminisation of poverty” within Russia (Pickup, 1998: 999) and the “feminisation of unemployment in Central and Eastern Europe” (Kelly and Regan, 2000: 5), with sex tourism and war. Lyons (1999) is one of a number of scholars to identify the way in which tours to Asia fuel the Western male fantasy for exotic, oriental women. Harrington (2005) joins Kligman and Limoncelli (2005) in observing a clear link, across their respective coverage of the Bosnia - Herzegovina and Iraq conflicts, between the increased movement of women and the arrival of military troops to an area.

Also relevant is migration law which has operated to restrict movement by imposing tougher immigration controls. According to Anderson and O’Connell Davidson (2004), the United Nation’s stance on trafficking as a facet of international crime has fostered a perception of trafficking as a sub set of illegal migration. Einhorn (2006) further suggests that Western funding of Non Governmental Organisations (NGOs) is motivated by a political imperative to stem the flow of illegal migration, rather than the desire to improve material conditions in sending countries or to improve the treatment of trafficked / non free migrant workers. As example, Einhorn suggests the European Union’s stigmatisation of Central and European countries, as countries of origin, engenders an ideology of exclusion towards the contemporary movement by women - a development now widely understood and acknowledged in terms of a ‘Fortress Europe’ (Kofman & Sales, 1998; Favell & Hansen, 2002). Such restrictive policies around movement and migrations are considered by the International Labour Organisation (ILO) as a contributory factor in the rise in trafficking of migrants (ILO, 2002 cited in Anderson & O’Connell Davidson, 2004: 15). In this respect, the international agenda contra trafficking and pro regulation of migration appears to have impacted negatively on women’s ‘agency freedom’ as well as their ‘well-being freedom’.

Conversely, underpinning the pull factors in trafficking, feminists privilege a liberalisation of sexual mores (Agustin, 2004), the Western appetite for

---

<sup>6</sup> Push and pull factors are considered in detail in chapter 5.

domestic labour and care giving - as services supplied from outside of the family unit (Anderson, 2000, 2006) - and media portrayal of travel as affording a new and attainable supply in education, adventure, pleasure and independence (Agustin, 2005a).

However, a political engagement with women's agency, recognises not only women's subjectivity in relation to these 'push' and 'pull' or 'survival' and 'advancement' strategies, but also, the relationality in the demand and supply paradigm itself. As Kabeer (2007:49) notes of the literature on Development, there is a gap in knowledge surrounding the relationality between the increasing commodification of care, love and sex in the global economy and the growth in trafficking, which she describes as the "dark underbelly of globalisation". This gap in knowledge makes it difficult to know where to draw the line between exploitation and agency, as illustrated in her comment on an advertisement recruiting women from the former Soviet Bloc to work in the West.

"Confronted by 'help wanted ads specifying hip and bust measurements' in local newspapers (Bienefeld et al, nd)...these women accept dubious offers of employment and marriage" (Kabeer, 2007: 47).

The fact that such consumerism and commodification retains a gendered and hierarchical division of women's labour and services, however, testifies only to the way commodification is experienced differently by men and women and not necessarily to the absence of agency by one or other party. Retaining the example of Eastern Europe, where the adoption of a free market economy has boosted the trade in prostitution, Monzini observes

"The same globally shared consumer myths and mechanisms that lead clients to obtain sex on a monetary basis operate to make others prepared to enter the market as sellers of sexual services" (Monzini, 2005 cited in Kabeer, 2007: 45).

Such differences in how men and women experience commodification should, additionally, not be taken as an indication that women share a collective experience of the process or proceeds of commodification. Whilst Kabeer (2007:49) differentiates the experience of women, into those benefiting from an expanded and diverse set of working opportunities and those entering the

market economy as “distress sale(s) of labour”, others prefer to privilege the complex and precarious relationality which exists between structure and agency. Farr (2005), for example, reports on the lived reality of women from the Newly Independent States, whose experience of the relaxation in entertainment and dance visas has brought both gains and losses. Some Russian and Ukrainian women find they have an increased chance of securing such sought after work provided through visa travel to Switzerland, whilst others have found themselves exploited at the hands of agents for the Japanese sex industry. Similarly, Barber (cited in Agustin, 2005a:100) observes this relationality between structure and subjectivity in her study of agency and movement amongst Filipinas. Barber found that migrants can and do operate

“within a regime of power and discipline from global political economy and skewed development that manages to capture women’s hopes for their future despite its personal risks”.

This, for some, may also involve some element or degree of coercion, abuse and exploitation.

The complexity involved in fathoming terms such as ‘exploitation’ or ‘knowing beforehand’ or ‘taking risks’ – precisely because they lack a final or objective meaning – builds a strong case for relational knowledge and subjective understanding. The breadth of culturally specific research contained in the ‘geography of gender’ literature (Kabeer, 2003; 2007), gives voice to this as a

“paradox of subjectively favourable evaluations...carried out in objectively unfavourable conditions” (Kabeer, 2007: 15).

This paradox forms a solid platform for a relational paradigm of women’s agency, mindful of the ways in which women subjectively demonstrate agency within a myriad of contexts and practices involving, amongst them, kinship, birth right, marriage and work. Citing Ong’s (1987) work with Malaysian female factory workers, Kabeer (2007: 16) refers to this agency in terms of “new subjectivities”. These women re-work patriarchal and exploitative labour conditions into new personal and geographical freedoms, which they express through

“a self-determination and ability to resist parental authority in areas such as choice of husband and timing of marriage, a personal life separate from that of the family, the ability to leave home to escape intolerable domestic situations, a greater sense of responsibility in dealing with the consequences of their own action and a widening of social horizons through their daily association with workers of different ethnic identities”.

Alternate re-workings of patriarchal, religious and global oppressions by women of different cultures are additionally documented by Kabeer (2007) <sup>7</sup>.

In this respect, a feminist political engagement with subjectivity, as the means for theorising the relationality between structure and individual, patriarchal constraint and female recomposition within human agency, is considered best placed to draw attention to the hidden aspects of women’s ‘agency freedom’ and ‘well-being’ freedom, as contained within individual trafficking and migration related stories. Accordingly, agency within the research will rest upon a woman’s ability to rescript conditions to her subjective advantage and empowerment.

Returning to Hirschmann’s caution against error, a political engagement with women’s agency additionally creates discursive space to revisit subjective meaning, which has become essentialised and racialised through oppositional definitions over the meaning of prostitution and trafficking. This raises women’s sexual agency and its relevance and place within the context of researching a trafficking / migration story involving sex.

As already stated, both the abolitionist and sex work discourses run the risk of producing universal and ahistorical accounts of women’s experience of trafficking and movements for sex. Rooted in male sexual violence, the Radical Feminist perspective totalises all prostitution as trafficking, and sex and subjectivity into one singular and victimising experience of prostitution. By the same token, the sexual agency discourse within sex work conceptualises prostitution as emancipating and transgressive of dominant discourses on gender. Theorised in opposition, discourse loses heterogeneity through its diminished lens on the diversification of actors and practices encompassed within transactions for sex. As MacKinnon observes, the practice of male on

---

<sup>7</sup> For further coverage of the ‘Geography of Gender’ literature, see Kabeer (2007).

male prostitution may be recognised by Radical Feminists, but the acknowledgement of difference is stifled through the feminisation of male prostitutes and their contextualisation as tokenistic women (MacKinnon, 1989 cited in Zatz, 1997: 279). Other neglected dimensions of women's sexual agency concern the growing number of female tourists willing to pay men for sexual services (Jassey, 2006), as well as practices involving transsexual and transvestite prostitution (Connell & Hart, 2003; South West 5 Project, 2005). As Zatz (1997: 279) reflects

“Prostitution is both a practice in which gender and sexuality play important structuring roles [but] one that cannot simply be reduced to gender or sexuality.”

Women's 'agency freedom' and their 'well-being freedom' exist within a context of broader discourses and social forces which shape women's sexual identity and ascribe it social and cultural meaning. From a perspective of cultural relativism, that is, one in which traditional practices and cultural norms are open to interpretation and misrepresentation by outsiders - often as violations of women's human rights - Doezenia identifies how Western representations of trafficking produce racialised constructions of sexual identity which divest non Western women of sexual agency. Commenting on the discourse in sex work, Doezenia (1998: 42) critiques Western knowledge making for positioning Western feminists as the civilised rescuers of uneducated and tradition bound Third World women:

“The 'voluntary' prostitute is a western sex worker, seen as capable of making independent decisions about whether or not to sell sexual services, while the sex worker from a developing country is deemed unable to make this same choice: she is passive, naïve and ready prey for traffickers”.

In respect of a Radical Feminist discourse, Doezenia (2000b:15) applies a 'hierarchy of civilisation' to illustrate the layers of racial and neo-colonialist discourse underpinning the sexual identity of Third World women in victimhood:

“...oppressed by tradition and religion, exploited by western patriarchal capitalism, carrying the baggage of the colonial legacy of presumed

backwardness and sexual innocence, [the third world prostitute] is the perfect figure to hold up to the world as the image of sexually subordinated womanhood". (Author's emphasis)

The feminist, Lyons (1999) challenges this western homogenisation of women's sexual identity by addressing the racialised western discourse on desire. Defined as "a search for sites of...alleged 'backwardness' (Lyons, 1999: 2), the discourse of orientalism constructs Eastern and Western cultures as oppositional to one another. Such a distinction fuels the sexual Western appetite for sex tours by promoting Asian female sensibilities as biologically and sexually exotic, submissive and exploitable.

Dependent upon standpoint, feminists vary in their interpretation of whether such racialised constructions of sexual identity and Western desire operate to confirm women in oppressive and unagentic relations of power (O'Connell Davidson, 1998) or constitute an identity and a source of sexual agency for women able to sell the fantasy as well as the act of sex (Spanger, 2002: Phillips, 2002).

Whichever of these positions is privileged, they each incorporate the notion that a woman's relationship to sexual agency is determined according to a woman's use and control of her own body as signified by her sexual identity. Understanding sexual agency in this way liberates it from oppositional thinking based around choice and voluntarism, which both underscore and reinforce the forced / free paradigm. Instead, a woman's sexual agency (or lack) is dependent upon and defined by a woman's ability to act in using her own body for the embetterment of her subjective situation. This political engagement with sexual agency advances a feminist understanding of women's agency as it factors in a relationality between subjectivity and experience. Subjectivity is necessarily shaped by experience but, as Hirschmann (2003) posits, experience is itself mediated by structural, discursive and individual elements. Referred to as 'lived' engagement or 'lived' experience, by anthropological and feminist scholars alike (Law, 2000; Harding, 1987, 1991; Oakley, 1989, 1992; Ramazanoglu and Holland, 2000), this relationality provides a lens on the "porousness in boundaries" (Kempadoo, 1998b: 127) between trafficking and sexual migration, forced and free prostitution, sexual agency and victimhood,

denied by oppositional theorising. In this way, women's sexual agency is able to disconnect from and have meaning outside of a sexual identity ascribed in oppositional terms as possessing or lacking in sexual agency.

Scholars of Eastern Europe provide an additional and particular lens in support of a relational, as opposed to a singular or one dimensional theorising of sexual agency. Pickup (1998) and Einhorn (2006) feature amongst those who address the re-sexualisation of Eastern European women following the collapse of Communism and entry by the Newly Independent States into the European Union. This cross fertilisation with the West has introduced new notions and identities around sexuality, femininity, and also masculinity, alien to State Socialism. According to Lisyutkina (1993 cited in Einhorn, 2006: 128), Soviet womanhood in the new free market culture has been reconfigured from "Mother Russia" into "Miss Russia" and it's women re-evaluated in light of their appeal as the sexualised objects of male desire. As Marody and Giza-Poleszczuk (2000 cited in Einhorn, 2006: 132) observe for women living in Poland,

"Coming after years of what may be called the 'a-sexualisation' of communist era images of women as workers and mothers, the new emphasis on sexual attractiveness undermines women's position in relation to men...Instead of sacrificing themselves to serve the needs of family and society...women should now subordinate themselves to male desires and standards of beauty".

Heeding Hirschmann's (2003) caution, although it serves no feminist purpose to deny inequalities brought by cross fertilisation with Western notions of sexuality, it is equally un-feminist to ignore the benefits in following individual aspirations, as opposed to State defined freedoms and choices. As Pickup (1998: 1020) observes in her analysis of Russian women and trafficking:

"In Russia, women are to varying extents defining their own space and sexuality using their bodies as a form of individual resistance to Soviet notions of womanhood [as reproducers and workers for the State] that were imposed on women of the previous generation...A focus on women's agency and motivations at the outset of the migration process is not intended to distract from the violence implicit in trafficking, but to



suggest that women's initiative to migrate and their self-help responses to break out of the trafficking cycle are two sides of the same coin".

Within the context of researching women's trafficking stories, women's sexual agency will therefore rest upon a woman's ability to use her body to effect a subjective transformation of her situation.

## **2.5 Theorising agency, power and the construction of 'truths'**

Within feminist understandings of trafficking as domination versus choice and migrational deficiencies within a structure versus agency discourse (Kofman, 1999), the theorisation of agency, that is, a woman's ability or capacity to act has been conceptualised along one dimensional lines. Women are seen as lacking the capacity to act in a self directed and purposeful way or they are seen as possessing the ability to act, make choices and exercise control. This ascription or denial of agency within a trafficking / migration context raises identical questions to those faced by other scholars of elusive issues, be they ones of power, choice, consent, freedom, autonomy or agency. As Haraway (1988 cited in Beckett, 2005: 8) observes

"Some differences are playful. Some are poles of world historical systems of domination. Epistemology is about knowing the difference".

Plumwood (1993:41) addresses this epistemological difference through the concept of dualism, which she defines as "the construction of a devalued and sharply demarcated sphere of otherness". For Plumwood, there are five aspects to dualistic thinking: both sides are dependent on each other, both sides are seen as separate, one side is seen as universal (that is, its power is invisible), one side is supported (that is, it is seen as 'right') and one side is seen as 'not' the other (that is, separate and different). Unlike a dichotomy, which requires only a single characteristic of difference, dualistic thought creates and perpetuates dangerous formations of power by maximising differences which have their origins in domination and superiority. As Plumwood (1993: 42) explains:

"Dualisms are not just free-floating systems of ideas: they are closely associated with domination and accumulation [of power] and are their major cultural expressions and justifications...The set of interrelated and

mutually reinforcing dualisms which permeate Western culture forms a fault-line which runs through its entire conceptual system”.

Such key dualisms or binaries, as in male / female, civilised / primitive, human / nature, reason / emotion, mind / body, pervade Western thinking and naturalise Western oppressions around gender, class, race and nature. Dualistic thinking additionally generates new and subsequent oppressions which are aligned with this way of thinking, as in object / subject, public / private, production / reproduction. Dualisms operate by focussing on difference and treating difference as negative, inferior or as lack. By constructing a binary with a powerful, dominant and ruling half and an opposing inferior underside, dualistic thought contributes to a dangerous construction of power. Taking gender as her example, Plumwood (1993: 50-51) illustrates how dualistic characterisations of male and female naturalise the gendered oppression of women.

“The polarising treatment of gender characteristics in Western culture provides a good model of such dualistic construal, and of how common or bridging characteristics are ignored, discouraged or actually eliminated by such conceptual construction...Thus men are defined as active, intellectual, egoistic, competitive and dominant, while women are defined as possessing the complementary qualities, as passive, intuitive, altruistic, nurturant and submissive. Each has characteristics which exclude but logically require a corresponding and complementary set in the other. Because of the polarisation and elimination of overlap, dualistic pairs present a false dichotomy”...

For Plumwood, dismantling a dualism is never easy but can be achieved by replacing difference based on ‘hyperseparation’ or maximum distance with a reformulation of power which is non-hierarchical. In order to qualify as non-hierarchical, difference needs to embrace aspects of dependency, overlap, relational difference, as well as notions of value and diversity for the contrasting part. This reformulation makes it possible to reconceive the binary in less oppositional terms.

Bridget Anderson (2000: 7) supports this deconstruction of dualistic power in her work on globalisation and labour, stating that

“the polarities and pairings of private and public, of madonna and whore, are not isolated or autonomous. Each contains the other within it, and each refers to and implies other dualisms”,

for example, of paid and unpaid, universal and particular, freedom and necessity, master and subject, means and ends, production and reproduction. For Anderson (2000: 115), the theorisation of power outside the dualism of production / reproduction connects more readily with migrant women’s experience of agency and exploitation in domestic labour.

“The contradictions and tensions involved in paying for domestic labour are most clearly apparent when the function of that labour includes care...It would be difficult to care for a child and not include cooking her food, washing up her dishes, wiping her face and the table...But once one allows that caring does include some measure of domestic work it is difficult to draw the line - how much of the domestic work is part of caring for one’s charge, and when does it become general servicing of the household?”

Applying the false choice ‘hyperseparation’ of dualism to the discourse on migrant / trafficked women selling sex, Agustin argues the case for a more relational and integrated understanding of power within the victim / agent binary. Based on the testimonies of migrant women, Agustin (2005b: 5) notes how movements rooted in displacement and unreasonable or risky choices can be exploited by women and turned to their advantage:

“Even the poorest and even the partially ‘trafficked’ or ‘deceived’ look for and find spaces to be themselves in, run away, change jobs, learn to utilise friends, clients, employers and petty criminals”.

This reconfiguration possesses all five aspects of Plumwood’s (1993) non-hierarchical conception of power difference: a recognition of dependency, overlap, relationality between parts and a sense of value and diversity amongst those denied power. For Agustin (2007b), dualistic construal of an agent / victim pairing can only be a ‘partial truth’, since it divides women into powerless victims or agentic individuals. Relationality between the two moves the agent / victim discourse away from a false and misleading representation of difference

and power ['hyperseparation'] and into a more relevant context for women. As Pheterson (1996: 18) encapsulates,

“women may at times be victimised in their quest for greater agency and, at other times, be compelled to take transgressive initiative in their attempt to escape constraint”.

Having considered the role of dualistic thinking in the construction of power, the question of relationship between power and agency remains. For many feminists, a hierarchical and one dimensional imaging of the flow of power, as per dualistic construal, has long failed to reflect the complexity of women's choices or to advance the search for women's agency.

The dominant model of agency in Western liberal society - the social contract (and the sexual contract as the original social contract) - is the classic example of power portrayed as hierarchical and linear. Located by Radical Feminists as the site of sexual victimisation within trafficking and prostitution and reframed by Sex Work Feminists as a site of potential freedom for workers and migrants selling sex, each espouses a one dimensional imaging of women's agentic power informed by notions of contract surrounding property and personhood.

Pateman (1988) examines the theory of social relations as governed through the social contract and critiques both the social exchange and the sexual exchange as containing fictions over power and women's agency. For Pateman (1988:150-151) labour power constitutes a political fiction regarding the exchange of power between buyer and seller.

“Labour power, capacities or services, cannot be separated from the person of the worker like pieces of property. The worker's capacities are developed over time and they form an integral part of his self and self identity...The use of labour power requires the presence of it's 'owner' and it remains as mere potential until he acts in the manner necessary to put it into use...The fiction 'labour power' cannot be used; what is required is that the worker labours as demanded”.

From her early work with female migrant domestic workers, Anderson (2000:113-114) uncovered that employers were purchasing not the property of

the person (that is, the worker's labour power) but rather property in the person, that is, the power to command the whole person.

"It is this power to command that is manifest in ordering a worker to stand in the same position all day, in calling a person 'dog' and 'donkey', in making her clean the floor three times a day...Employers want more than labour power...so...if the worker is to have responsibility for caring work she should be 'affectionate'...The worker wants to earn as much money as she can with reasonable conditions, but the employer's wants are rather more complicated".

In similar mode, Pateman (1998:198) critiques the sexual contract in prostitution as a fiction belying male sex right over the property that is women's bodies.

"Prostitution is the use of a woman's body by a man for his own satisfaction. There is no desire or satisfaction on the part of the prostitute. Prostitution is not mutual, pleasurable exchange of the use of bodies, but the unilateral use of a woman's body by a man in exchange for money".

In other words, through the act of sex, men dominate women and exercise a patriarchal power of command over them.

It is precisely this issue of relationship between women and property [as demonstrated through the social and the sexual exchange] which ties questions of agency to questions of power for feminist scholars. For Pateman (1988:153) "contracts about property in the person inevitably create subordination" and portray this power dynamic as singular, linear, hierarchical and one dimensional. Applying this dynamic to women in a trafficking / migration situation, women become the property of men with a power of command to sell them for their sexual or domestic labour or exchange them as commodities, in the form of mail order brides or other type of dowry, security or bond. This hierarchical and linear representation of power, as a totalising power of male domination over women, is challenged both historically and contemporaneously by feminist scholars for its partial and artificial portrayal of the relationship between property, ownership and women's agency.

Historically, Erickson (1993 cited in Brace, 2004: 194) refutes a totalising account of men's subordination of women under the 19<sup>th</sup> century laws of

coverture – status allowing husbands legal control over a spouse's property and person in marriage. Erickson illustrates the creative ways in which both men and women negotiated an oppressive framework to facilitate women (legally, the objects of property) to achieve some self - ownership or personhood, as the subjects of property. For some women this involved never marrying and, for others, was achieved through taking responsibility for the household finances, entering into pre nuptial or intricate marriage agreements and exercising property ownership through a legal entitlement to purchase free-hold. In this way, Erickson defines the lived relationship between women and property under the laws of coverture as one of relative, as opposed to total, powerlessness. Whilst the system of coverture was a signifier of women's enslavement under patriarchal property laws, the relations of power at play in everyday property decisions afforded women a relational measure of agency.

O'Connell Davidson (1998) provides similar argument for a more nuanced view of the relationship between women and property, through the example of contract within the prostitution exchange. Both O'Connell Davidson (1998) and Pateman (1988) concur that the nature of contracts serves to disguise power relations in favour of a gendered political order but not on how this is achieved.

For O'Connell Davidson (1998:9), the act of prostitution

“is better conceptualised as an institution which allows certain powers of command over one person's body to be exercised by another. The client parts with money and / or other material benefits in order to secure powers over the prostitute's person which he (or more rarely she) could not otherwise exercise”.

In other words, power is achieved not through the sex act per se (as it is for Pateman) but through the ability to “contract for powers of sexual command” (O'Connell Davidson, 1998: 124), whether as prostitution, sexual labour or some other aspect of sexual service contracted of women. In this respect, O'Connell Davidson agrees with Pateman that the prostitution contract as a mutual social exchange is fictitious, but claims it as an important “fiction” for describing the complex social relations, and the attendant degree of agency, which exists in the “lived experience” (O'Connell Davidson, 1998: 122) of prostitutes and others in the relationship (the client, employer, agent or pimp). In

this way, O'Connell Davidson argues against the singular social / power dynamic of domination and for a more relational understanding both of power - expressed in relations of command, and of agency - as measured in "degrees" of control over a woman's "unfreedom" (O'Connell Davidson, 1998: 102). Power is thus retheorised from a linear and hierarchical paradigm of domination, and into a relational lens on power.

Understanding power and agency in a relational way enables agentic power to surface in less than ideal contexts and operations of power, such as in trafficking, assisted and illegal migrations. As Miriam (2005:14) explains,

"victimised, oppressed and / or enslaved peoples throughout history have also employed numerous stratagems of resistance to their situation. Even if these stratagems amount to negotiating the terms of their unfreedom, many victims can also be said to have 'agency'".

For Miriam (2005:13), the fact that coercion, consent and agency are inextricably bound for women means the challenge for a feminist discourse on agency requires consideration of models other than the contractual and, as a minimum, recognition that "victimisation and agency are not mutually exclusive conditions".

Anderson's "continuum of experience" (2007: 11) preferences just such a relational lens on agency and victimhood. When applied to an agency discourse in the context of trafficking and migrations, a relational theorisation of agency allows for the possibility and discovery of agency in the less well defined spaces and stories of movement. As emphasised by Anderson,

"At one pole of the continuum, we can find people who have been transported at gunpoint, then forced to labour through the use of physical and sexual violence and death threats against them and their loved ones back home. At the other pole, we can find people who have not been charged exorbitant rates by recruiting agencies or deceived in any way about the employment for which they were recruited, and who are well paid and work in good conditions in an environment protective of their human and labour rights. Between the two lies a range of experience".

Whilst sharing this non dualistic paradigm of agency and victimhood, Agustin (2007b), identifies some of the complexities in language and events when trafficking itself lacks a final or objective meaning. Describing trafficking as a “useless frame”, Agustin makes reference to independent women who are in victim protection programmes and who construct a version of their past around coercion. Agustin also highlights women who have experienced a bad time and may temporarily be victims but who neither want nor fit the identity.

“I also try to avoid having the two extremes, where you have the complete imaginary free choosing person agent and the completely miserable trafficked enslaved person at the other end. I’m sure both of these exist somewhere but most of it is in the middle...The message you can boil down is that people don’t feel the same way” (Agustin, 2007b: n.p.)

Clearly, ideas surrounding which occurrences or events (both in the ‘continuum’ and in women’s lives) denote victimhood, which decisions or choices signify agency, where to draw the distinction, or how many times a woman can safely transgress the boundaries, depends on competing factors. One such critical consideration is the notion of subjective interpretation. Butler (2000: 151) cautions that “the subject is itself produced through operations of power that delimit in advance what the aims and expanse of agency will be”. Given this, naturalising subjectivity as the site of agency is as dangerous as claiming a totalising account for the way in which women experience regulatory power. As Butler reminds us, subjectivity per se, is no remedy for the effects of regulatory power. Ci raises similar dilemma with agency led claims. As illustrated in the field of Human Rights, Ci (2005: 249) defines human agency as “beings with the desire and capacity to act rather than merely be acted on”. For Ci, history’s attempts to suppress its peoples, testifies to the possibility and expression of some degree of individual agency. Ci dislikes the fixed idea of agency in terms of actors having or lacking agentic power, preferencing understanding in terms of an individual’s interpretation or feelings of agency. Agency in the being of the subject, therefore, can be variously empowering and compromising dependent upon the meaning ascribed by the subject. This said, like Butler, Ci also advises caution in an unproblematic understanding of power and subjectivity. The subject or self, as shaped through processes and experiences of power, suggests that agency - the “attribution of power to oneself” (Ci, 2005: 253) - is



necessarily bound to available opportunities and constraints. Applied to a trafficking / migration context, agency would need to be weighed against the freedoms and confines from both structural 'push' and 'pull' forces. Similarly, just as O'Connell Davidson (1998) critiques the fiction in the prostitution exchange (for polarising freedom and unfreedom in opposition), Ci raises a number of agency-led fictions in the shape of imaginary or misplaced agency, which transfer to a trafficking context. As example, Ci observes how indirect coercion can produce an impression of imaginary or "illusory" feelings of agency on the part of the person being manipulated (Ci, 2005: 261). In the same way, an absence of direct coercion can lead to a "misattribution of agency" (Ci, 2005: 261), similar to when women blame themselves after an episode of domestic violence or for a bad experience with an unprincipled employer.

Having acknowledged aspects for caution in researching subjective interpretation, agency - commensurate with how an experience of trafficking / migration is comprehended and felt by the subject - expands the scope of women's agency beyond a dualistic discourse of forced and free, fact or lack. By applying a subjective lens on agentic power, the 'hyperseparation' in the structure / agency dual - wherein patriarchy is all powerful and all women under patriarchy are subjugated and victimised - is opened up to challenge. In this way, adopting subjective power, as a means of uncovering the relationship between power and agency, is a useful advance in the feminist search for women's agency.

## **2.6 Feminist re-workings of agency**

In order to embrace a theory of relationality between victimhood and agency, movement away from single discourse and easy dualism between a fact or a lack of agency is required. Feminists are already addressing the conceptual inadequacies of singular and oppositional discourse in relation to agency and victimhood in numerous areas of social phenomena, for example, domestic violence, Islamic veiling, migration, gypsies / travellers and childhood trauma. As Kelly, Regan and Burton (1996:78) observe, discourse

"contains a recognition of the material consequences of ideas, that they play a key part in constructing what counts as 'real'; alongside an explicit acknowledgement of the power inherent in what becomes 'dominant'

discourses. It is through...extending the limited definitions encoded in the law, medicine and research that feminist work has challenged dominant discourses on sexual violence”.

The challenge from feminist praxis positions the victim / agent or the victim / survivor dual as an oversimplistic conceptual model in which “victimisation implies the one-way exercise of power, harm without strength [and] agency implies freedom from victimisation” (Mahoney, 1994: 62).

Within the field of sexual and domestic violence, this dichotomy is critiqued as an unreal account of women’s material and emotional realities. Perhaps most crucially for Kelly (1988), victimisation carries within it not only the possibility of agency, but also the necessity of it, if women are to become survivors. From her work with women experiencing domestic violence, Kelly (1988: 165) describes the agency of day to minute decisions, choices and actions taken by women to ensure survival.

“It is precisely these aspects of women’s experience that demonstrate that women do not expect or accept sexual victimisation, and which provide the basis for women’s struggle for autonomy”.

Kelly also observes how oppositional classification of victimhood and agency neglects the agency of strategies deployed at the time of abuse for coping and resisting. One such strategy, reframed by Mills (1985 cited in Kelly, 1988: 178) as an “episode of defiance”, involves women subjects of violence going limp. Such action is taken, not in passive collusion, but in self protection. By exaggerating the harm sustained, a woman can placate the perceived need or space for a prolonged assault. Kelly (1988:181) further dissects the dichotomy by acknowledging the relevance of context when determining the level of agency deployed against the abuse: “...what has been defined as ‘learned helplessness’ is in fact a form of coping in a situation where women feel their options are severely limited”.

In a re-working of the victim / agent dichotomy away from the standard narrative of mutually exclusive states, Mahoney (1994:65) re-theorises agency in terms of “acting for oneself under conditions of oppression”. Whilst such redefinition sidesteps the feminist dilemma in using woman’s power for herself (as opposed

to ending oppression for womankind), it captures a relationality between victimhood and agency present in the gendered nature of women's position in society - the relationship between agency and structure. Such gendered re-theorisation of the discourse on agency allows for the creation of new concepts, or "ways of seeing" (Kelly et al, 1996: 90) the dominant narrative which, in turn, create space for recognising women's agency and their well-being freedoms under patriarchal rule.

Within the discourse on domestic violence, the challenge from gender can be seen in feminist re-workings of the structure / agent dual perpetuated in simplistic and totalising models of women's victimisation. Kelly (1988; Kelly et al, 1996) demonstrates how a gendered lens on victimisation and decisions dependent on what is possible, or in Mahoney's (1994:65) reconfiguration "under conditions of oppression", reveals the well-being freedom and agency freedom of women caught up in sexual violence. The choices women make, for example, of blocking the emotions associated with abuse, become open to alternate interpretations other than the singular established meaning of submission. When such experiences are viewed as actions providing women with the means of refusing an abuser power over their minds and feelings (their well-being freedom), such responses become agentic. This agency is visible in the praxis claims of other theorists, that all resistance is active (Bart and O'Brien, 1984) and, as Ci (2005) notes for subjective power, agency materialises and exhibits in how it is felt.

Regarding women's agency freedom, feminist praxis has a long history of challenging the conditions of power through political campaigning and legal redress. Grounded in "a collective refusal to keep men's secrets" (Kelly et al, 1996: 82) praxis has focussed on dismantling the private / public divide concerning violence in the home or within relationships. This practice has increasingly extended into the territory of domestic violence and rape in same sex relationships, and in their struggle for understanding and justice. In addition to the effects of patriarchy on issues of agency and victimhood, same sex couples face the cumulative consequences for experience, brought from location within homophobic societies and cultures <sup>8</sup>.

---

<sup>8</sup> For further discussion of this, see Girshick (2002) and Ristock (2002).

Within the arena of Islamic veiling, the application of a gendered lens has similarly afforded new understanding and space for women's well-being and agency freedoms within a deeply contested area of religious, political and cultural practice. Whilst it is vital to acknowledge diversity in both definition of the term Islam and the custom and practice of Islamic veiling, there exists within the West a prevailing association of the veil with the gendered oppression of women. Outside of Muslim societies and communities, the prescription over women's appearance and the consequences of appearing unveiled in public, portray the veil as a symbol of women's individual, institutional and religious subordination. This simplistic orientalist prism of women's victimisation, communicated in media discourse and sustained by Islamophobia - a sectarianist approach to Muslim peoples (Conway,1997), has created its own East / West dual, in which women's religious and political inequality under Islamic governance is contrasted with women's freedom of expression and behaviour in the liberal, progressive, enlightened and democratised West. Under this gaze, women's fight for the niqab <sup>9</sup> (as exercised by a Dewsbury teaching assistant in October, 2006) and their fight against the burqa <sup>10</sup> under former Taliban rule, are equally essentialised as markers of women's conscious / externalised and subconscious / internalised lack of freedom and autonomous self.

Applying a gendered lens to the phenomenon of veiling provides space for a recognition of relationality between subjectivity and structure. This, in turn, allows for the possibility of women's agency freedom in the face of externally imposed strictures which are not of women's making. Khan's (2007) analysis of American Muslim women's rediscovery of the hijab (the headscarf or veil) following the terrorist attacks of 11<sup>th</sup> September, 2001, reveals the absence of American Muslim men in reconstructing the new domestic narrative on veiling. In contrast to societies which oblige women to veil (as in Iran) or to unveil (as per France <sup>11</sup>), American Muslim women possess agency in deciding whether or

---

<sup>9</sup> The niqab is a veil worn over the face exposing only the eyes. The eyes are visible, either directly or through a meshed grill.

<sup>10</sup> The burqa is a heavy robe covering the female from head to toe. Only the eyes are visible, typically through a meshed grill.

<sup>11</sup> The 'Burqa Ban' came into effect in France in April 2011. Since it outlaws covering the face in public, it also prohibits women from wearing the niqab. Wearers face a 150 euro fine and / or compulsory citizenship classes. Persons forcing a woman to veil in public face a 30,000 euro fine and 12 months imprisonment.

not to wear the hijab. Khan found against the patriarchal norm of male Muslim family members imposing conformity through the hijab, reporting that most cautioned family members against veiling, fearing reprisals and racism in the aftermath of the 9/11 bombings. Khan (2007: 207) found the most influential force in women's deliberations over hijab to be an internal consideration, as opposed to an external consideration.

"The current resurgence of attention to the hijab reflects a global phenomenon of introspection, where Muslim women have begun to assess their condition and have decided that it is their right to determine the parameters of their identity, gauging what place they may have in society as a function of how society perceives them".

In this way, and as challenge to an essentialised Western perception that veiling expresses patriarchy, the American discourse of hijab shows women redefining a patriarchal stricture on dress and using it to assert their autonomy and agency freedom. Doyal and Gough (1991:67) express it in the following way.

"Where the opportunity exists to question and to participate in *agreeing* or *changing* the rules of a culture, it will be possible for actors significantly to increase their autonomy through a spectrum of choices unavailable to the politically oppressed. In such circumstances, actions which hitherto they could only be said to choose through interpreting the already existing rules of their particular social environment, become chosen and their own in a much more profound sense". (Author's italics)

In this sense, the American discourse on veiling carries within it proof of Islamic women's capacity to become political actors in agency freedom.

Even within an Islamic regime which obliges its women to veil, there is evidence of women's ability to redefine an aspect of the existing order by engaging with patriarchal conditions - Mahoney's (1994) agency under oppression. By conforming with the Islamic obligation to veil in public, Laleh Seddigh fulfilled the only condition preventing her from competing in Tehran's all male sport of motor racing. Having established her right to race, Laleh is now politically positioned to train other women, to qualifying standard, in this non contact sport (BBC This World, 2008). Given that Laleh is the only female motor racing

champion world-wide, she provides example of Islamic women's ability to define choices and exercise agency at a macro level.

Diversity scholars have variously and additionally noted a plethora of ways, in which Muslim women's wearing of the veil has served to enhance women's freedom by aiding their passage from the private world of the home to the public space of a formal labour market. For example, the veil as an outward sign of internal ties to female Muslim identity has enabled women's inclusion in wider society (Khan, 2007). The wearing of the veil has also been shown to facilitate women's participation in work outside of the home (Taraki, 1995). In this way, the veil (an external and gendered marker of male power over women's sexuality) can also be agentially used by women for their well-being freedom. In affording women a measure of independence and autonomy gained through paid employment, women's well-being freedom has been enhanced (Moghadam, 1998). Whilst discourse continues to demarcate the veil as a symbol of sexual and gendered oppression or as protest and resistance on a number of fronts (colonial and religious as well as gendered), Mahoney's challenge of mutually exclusive states allows for greater possibilities and findings for agency in hijab discourse across Muslim countries and between Muslim communities.

Within a migration discourse, feminists have also privileged a move away from single and oppositional discourse, whether between victimhood and agency (Agustin, 2006b) or the dichotomy of structure and agency (Phizacklea, 1998), on grounds that it obscures agency in complex and fluid conditions of women's lived realities. According to Agustin (2003a), the sale of migrant sexual services involves more than just the act or sale of sex. As such, it is best comprehended outside of the singular and essentialising discourse on prostitution and women's victimisation. In much the same way as work is only one aspect taking place in caring labour, Agustin (2003a: 385) reasons that

“there is a lot more than sex going on in the long evenings spent in bars, clubs, driving around, and other social activities that may or may not end in paid sex”.

Challenging other singular narratives, as in the victimology embedded in migratory discourse concerning the feminisation of poverty, migrations for sex

as trafficking and contemporary slavery and sex work as violence, Agustin (2005a) favours a relational paradigm of agency as normative of migrational experiences. Challenging the perception that women lack all agency freedom and are only and always compelled to migrate in response to structurally negative (push) factors, Agustin notes it is not just the poor who migrate. Although there exists fundamental agreement that women in the sex trade tend to be drawn from poorer sections of their populations and gravitate towards source countries in order to improve their own and their families' well-being freedom (Kabeer, 2007), Agustin (2005a: 100) claims that, of those who migrate, not everyone is driven by poverty and oppression.

“Exposed to media images that depict travel as essential to education, pleasure and worldliness, people in poor as well as rich countries want to see famous places, experience a little glamour, be admired, meet new people and marry”.

A relational existence between sacrifice and agency is claimed in other studies by migration scholars. Tacoli's (1999) study of domestic workers in Italy exemplifies how Filipinas working abroad negotiate unequal and gendered power relations to personal effect. Given the economic need for remittances and the illegality of divorce in the Philippines, Filipinas abroad exhibit agency freedom through their ability to escape from domestic / marital unhappiness. The fulfilment of personal goals, while meeting social and cultural expectations for female self sacrifice as daughters, wives and mothers, contributes to their sense of well-being freedom (Tacoli, 1999 cited in Carling, 2005: 12).

In Agustin's (2003b: 8) re-theorisation of women's agency in migrations, in terms of a process, women's agency freedom and their well-being freedom are relational to women's opportunities, abilities and desires to change their “identification with migrancy”, from a state (suggestive of permanence) to a stage in their journey (suggesting transition).

“I suggest that we re-confirm the idea of agency for migrants, with the emphasis on the process they are going through. Although some migrants may experience a (sad) feeling of being permanently uprooted, many others do not...it seems to me that many individual migrants evolve transnational ways of living that show creative adaptation and strength:

looking for ways out of bad situations, trying to maintain something of the past while opening to the future” (Agustin, 2003b: 8).

In this reformulation of the spaces in between journey’s start, middle and end, migrants are granted a spectrum of experiences ranging from benefits, costs and risky choices without acquiring the fixed and undesired persona as victim, agent or migrant. Consequently, women retain a sense of their own identity and personhood necessary for health and well-being freedom, and are ascribed the agency to redefine their migrant status, vital for establishing women’s agency freedom within the confines and context of a global migratory process not of their making. Advantageously, Agustin’s conceptualisation of agency as a process, removes the need for a further dichotomy fostered by the demands of immigration and border security, of the need to differentiate women into ‘smuggled’ or ‘trafficked’ or between ‘trafficked’ and ‘legal’ / ‘illegal migrant’.

Having presented a positive account of feminist re-workings of agency in the areas of domestic violence, Islamic veiling and migration, it is necessary to also consider the negative dimension of female agency, as in agency which reinforces patriarchal power and contributes towards the further oppression of women. This fundamental feminist dilemma with “using the power one has for oneself” (Kelly et al, 1996: 82) - pertinent in the complex relationship between structure and subjectivity, agency and victimhood, subjective power in objective and oppressive circumstances - presents within many trafficking / migration narratives.

Accounts exist of mothers who sell their daughters in order to survive economic hardships (Huda, 2005), or of daughters sold in keeping with cultural customs, for example, of filial duty obliging the female offspring to repay the parent for her care and keep as a child (Bales, 2003). There are examples of ‘maids’ and ‘madams’ who gain independence by exploiting vulnerable women (Agustin, 2001) <sup>12</sup> and of trafficked women who ameliorate their own situation by siding with traffickers or becoming traffickers themselves. Some base their decision around personal fears for themselves and some demonstrate agency in putting

---

<sup>12</sup> This knowledge is also accrued from personal experience of interviewing women charged with prostitution related offences. During the course of preparing their Pre-Sentence or Standard Delivery Reports, many women revealed recruiting and managing other women for personal gain.



themselves first (Altink, 1995 cited in Agustin, 2006a: 38). Murray (1998: 57) highlights this feminist dilemma through the trafficking experience of Thai female sex workers in Australia, some of whom go on to manage and own their own brothels and, in some instances, to recruit other women into the sex trade.

Alongside such accounts, there are reports of women's criminal agency. A media documentary (ITV 4, 2005) portrayed the complicity of women in supplying male traffickers and 'travel agents', with females from the former Soviet Bloc countries, for sex services in the West. Poudel (2005) claims it is not uncommon for Nepalese women to have a close connection with trafficking networks, pimps and brothel owners or for women to share in the proceeds from such trafficking. Surtees (2008: 44) reports a growing volume of female traffickers working in the former soviet states of Moldova, Romania, Ukraine and Bosnia Herzegovina, as well as a new business trend in male / female couples across Southern and Eastern Europe <sup>13</sup>.

Whilst social scientists privilege the economic and structural foundations of sex trafficking and migrations, which locates women's agency in their response to dislocation, marginalisation and discrimination, scholars also highlight trends aligned to a growth in the commodification of sex and the new dilemmas this raises for feminist agency. Bales (2003) provides example in the context of Thai migration, where a north to south female migration originated from poverty and obligation on daughters to repay their mother's for raising them. Commenting on the effects of globalisation, Bales reports how the pull of luxury consumer items has served to push the better off into selling their daughters in exchange for televisions and electrical goods. Under a feminist lens, the above examples both complicate and challenge the already fragile fabric between issues of coercion and consent, victimhood and agency, needs and wants, rights and wrongs, when evaluating women's agency under conditions of poverty, oppression and, not least, gender inequality. Furthermore, they provide example of the contentious and controversial space between women's subjective well-being freedom and achieving systemic agency freedom for all women.

---

<sup>13</sup> Women's agency and motivations in trafficking crime groups is revisited in greater depth in Chapter 7.

## **2.7 Concluding remarks on agency within the research**

A sense and feel for women's agency is an aspect of knowledge noticeably absent from the dominant and victim discourse that constructs both public and private understandings of human trafficking. Feminist epistemology has successfully taken social analysis beyond its dualistic frame of reference, and into a relational discourse carrying space for women's self-determination and self actualisation, in a number of highly gendered and contentious areas (prostitution, sex work, domestic violence, veiling and migratory movements). This chapter has situated the discourse in human trafficking and women's missing agency into this relational prism on victimhood and agency, in direct challenge to conceptualisations of trafficking and migrations (typically for sex) as an essentialising narrative of victimhood. As Agustin (2005b: 4) explains

“If one of our goals is to find a vision of globalisation in which

er people are not constructed solely as victims, we need to recognise that strategies for fulfilling desires that seem less gratifying to some people may be successfully utilised by others”.

In responding to contemporary human trafficking as a facet of globalisation and gendered movement, agency within the thesis has been politically reconfigured to take into account women's requirements for both well-being and agency freedoms (Sen, 1999), and situated this lived requirement for autonomy and agency under Mahoney's (1994) gendered conditions of patriarchal oppression. Within this epistemological and politically feminist paradigm, this chapter has argued that agency - within a context of human trafficking - is best realised and served when two significant theorisations apply. Firstly, that space for women's agency is created when a relational lens is applied across women's victimisation and agency, and between opportunities and constraints inherent across structure and agency. Secondly, that in considering subjective power (how women experience, feel and enact strategies of power in any oppressive context), women's lived realities and the diversity within experiences begin to emerge. Accordingly, within the thesis, women's subjective stories of agency will be explored and celebrated for how women are able to act in self-directed and purposeful ways, in a trafficking context of oppression, exploitation and gendered victimhood.

Having considered the epistemology, Chapter 3 now turns to the design of a feminist methodology capable of reaching participants and researching women's painful and powerful stories of trafficking agency and experience.

## **CHAPTER 3: RESEARCHING FROM A FEMINIST PERSPECTIVE**

### **3.1 Introduction**

This chapter explains the feminist principles and methodology used to research women's stories of trafficking agency, and introduces the women and professionals who participated in the research. The preceding chapter reviewed literature chosen for its value in shaping and re-theorising women's agency and power, valuable for locating agency in the less than favourable conditions surrounding trafficking and female migrations. The central challenge for methodology lies in how to remain accountable to women's interpretations and representations of agency and struggle within a trafficking or migratory experience. The prevailing victim narrative and media portrayals of victimhood carries a risk of transposing official and populist meanings onto women's subjective accounts of trafficking experience. As previously raised, women's capacity for well-being and agency freedom requires an organic structure, capable of embracing relationship between agency and victimhood under women's lived experience of patriarchal, cultural, and socio-economic inequalities. Given that feminist researchers privilege the women subjects of oppression and struggle, as best placed for giving their identities and experiences meaning (Fonow and Cook, 1986; Davis, 1986; Reinhartz, 1992), this study engages a focus group method, semi structured interviews, and a grounded theory approach to analysis for their naturalistic (Bryman, 2004) and co-creative properties (Fontana and Frey, 2000; Charmaz, 2002) in feminist knowledge building.

The research participants totalled forty one persons in all. From within this number, twenty six were women familiar with human trafficking experience. These included seventeen focus group participants, seven individual semi structured interviews and two case studies. A snowball search sourced the seventeen focus group members, five of whom volunteered for an individual semi structured interview of their personal stories. These women are Zara, Davina, Survivor, Neeta and Ayse. The snowball search also generated a further two women for semi structured interviews. Both came forward in response to information advertised by projects on their websites. These women are Olimpiya and Ikra. The final two stories of Sofia and Tijana are documentaries of case files accessed via the National Offender Management

Service (NOMS). Following a purposive sampling search, a total of fifteen anti-trafficking professionals consented to a semi structured interview. These are categorised into the following three groupings: six Governmental Enforcement Officers (GEOs), six Non Governmental Officers (NGOs) and 3 members of staff with a partnership remit (Partnerships). One of these professionals acted as case manager for Sofia and Tijana. The field work interviews commenced at the beginning of December, 2008, and continued through to the end of February, 2010.

### **3.2 Chapter Outline**

In light of women's secondary status in patriarchal societies, the sensibilities involved in doing feminist research (Oakley, 1981; Fonow and Cook, 1986, 1991; Reinharz, 1992, 2002; Mies, 1993; Kelly, Burton and Regan, 1994; Millen, 1997; Letherby, 2003; Watts, 2006) and conducting field work with vulnerable persons (Stanley and Wise, 1993; Bergen, 1993; Campbell, 2002; Robinson, 2002; Brennan, 2005; Dickson-Swift, 2007), this chapter will privilege the research process with women over anti-trafficking professionals. Accordingly, this chapter will focus on three key aspects of the research process. These will be the reasons for selecting a feminist perspective and qualitative approach for this study (3.3); the principles of good feminist research (3.4); and my own field work as feminist 'praxis' (3.5) <sup>1</sup>. The chapter will close with vignettes of women participants and a table providing data on the focus group (3.6). The research classifications for the anti-trafficking professionals involved in the study are attached at Appendix 1.

### **3.3 Why a feminist perspective and choice of a qualitative approach for this study?**

Essentially, the decision to research from a feminist perspective came from the research topic itself. Although feminist discourse created the sex war in which prostitution and sex work have come to be theorised as oppositional, the feminist platform occupied centre stage in the United Nation's negotiations over the Trafficking Protocol. Doezenia (2005) presents a detailed and first-hand account of the sex wars, as played out between Radical Feminists in favour of abolition, and Sex Work Feminists who support a distinction between voluntary

---

<sup>1</sup> This section moves between the first and third person, in solidarity with feminist calls on the researcher to reveal her investment in the research process (Oakley, 1981; Reinharz, 1992).

prostitution and trafficking / forced migrations for sex work. Following such historical campaigning, feminism has continued to influence and inform contemporary discourse, not only around trafficking and movements for sex (Aradau, 2008; Goodey, 2008; Walklate, 2008), but also in newer terrain, for example, of growing female migrations for domestic labour, sex services, and transnational marriages (Phizlacklea, 1998; Pickup, 1998; Kofman, 1999; Agustin, 2006a, 2007a; Kabeer, 2007).

In spite of this wealth in feminist knowledge development, including recognition of the numbers of males affected by the trade in Human Trafficking (Piper, 2005a; 2005b) and male forced marriages (Samad, 2010), movements involving trafficking and migrations for sex (both legitimate and coerced) have remained linked to a discourse of women's subjugation, or conflation of women and children (Morash, 2006). As example of the latter, the United Kingdom branch of End Child Prostitution and Trafficking (ECPAT: UK) has been critiqued precisely for combining adult women and children under the one gendered umbrella of female, exposing its statistics and policies to feminist challenge (European Women's Lobby, 2005). In light of such feminist critique, the research choice of a qualitative approach and design attends, in some small part, to this question of gender and its relationship to competing knowledge and 'truth claims' for women. As Hammersley (1992) posits for the paradigm war between quantitative and qualitative knowledge - these two have been gendered as male and female, to the extent that a qualitative and subjective way of knowing has become fashioned as a feminist approach to researching knowledge.

Reframed in favour of "knowing like a feminist" (Ramazanoglu and Holland, 2000; 208), such feminist privileging of women's understanding of self and lived experience at the heart of research enquiry, enhances the thesis and fieldwork intent in a significant way. A qualitative feminist framework connecting knowledge claims with women's lived experience, carries potential for knowledge creation of women's well-being and agency freedoms (Sen, 1999), as negotiated under complex conditions of women's patriarchal and social oppressions (Mahoney, 1994). In this way, "knowing like a feminist" allows space for a fresh dynamic and different knowledge to the populist and binary (Radical Feminist/ Sex Work) legacy, essentialising women's agency and victimhood as distinct.

### **3.4 Principles of good feminist research**

“If any attribute could be said to characterize qualitative feminist research [since second wave feminism],... it would be increasing complexity in the feminist research enterprise...And, indeed , if there is a dominant theme in this growing complexity, it is the question of knowledges...Where and how obtained and by whom, from whom, and for what purposes?” (Olesen, 2000: 217)

The absence of a definitive type of feminist research or a singularly feminist research method (Fonow and Cook, 1986; 1991) has generated competing knowledge claims amongst feminist researchers. As Lorraine Code (1991) famously framed it - who can know? and what can she know? In response to the difference in feminist perspectives and feminist approaches, feminist researchers have come to regard principles of good feminist research as key to researching from a feminist perspective. Central to these is whose knowledge (Code, 1991; Olesen, 2000) and the interplay between researcher and researched (Harding, 1993). In broad strokes, these principles recognise the need to redress the power imbalance between researcher and participant; the interaction of insider / outsider knowledge on women's subjectivities and the researcher's viewpoint; and the empowerment and social improvement of women (Kelly, Burton and Regan, 1995; Hill, 2003; Watts, 2006). These principles will be revisited and expanded upon at key stages of the research process which now follows.

### **3.5 My fieldwork as feminist praxis**

Given that sensitive research, with vulnerable participants, is viewed as an undertaking in its own right (Oakley 1979, 1981, 1992), this section foregrounds access, choice of methodological tools, principal methods of data collection and handling the data, for detailed reflection. These will now be 'gazed back' at through a feminist lens (Harding, 1991: 152).

#### ***3.5.1 Gaining access and finding participants in an ethic of feminist care***

The decision against running a pilot group was directly informed by an ethic of feminist care. For qualitative feminist researchers, the connection between principles of care and core feminist drivers of amelioration and empowerment, constitute evidence of integration between an ethics of care model and a

feminist research ethos (Hoagland, 1988; Aldridge, 1994; Campbell, 2002). The idea of collecting a trafficking story from a potentially traumatised and oppressed individual, and not giving voice to her story in the thesis, seemed at best disrespectful and, at worst, to be compounding an existing exploitative experience for the woman involved. This decision was further shaped by accounts of research fatigue, documented amongst agencies supporting trafficked and other groups of displaced persons, as in asylum seekers and refugees (Robinson, 2002; Poppy Personal Communication, 2007)<sup>2</sup>. As remedy, I adopted a mix of snowball sampling with service providers in order to access women, and purposive sampling of anti-trafficking professionals, as a means of targeting staff from both within and outside of the Competent Authorities. Strengthened by Bloch's (1999) claim for snowball sampling as singularly productive in accessing invisible and displaced refugees and asylum seekers, I made contact over a period of fifteen months with a total of seventy six trafficking, refugee, migrant, women and victim related agencies (De Angelis Personal Field work notes, 2008 -10). As stated in 3.1, this generated twenty six interviews with women familiar with trafficking experience (seventeen members of a focus group; seven semi structured interviews; two case studies). Use of purposive sampling, with its benefit of matching participants of relevance to the research topic (Bryman, 2004), secured fifteen interviews with anti-trafficking professionals. For research purposes, professionals were separated into three categories and purposive sampling produced six interviews with officials within the Government Enforcement sector (GEOs), six interviews with NGO staff and three interviews with professionals tasked by their employer with developing community partnerships. These categories are explained further in section 3.5.3.

In accessing a hard to reach population, as in trafficked women, I was further aided by the use of gatekeepers. Although credible arguments exist both in support of and against the use of gatekeepers (Miller, 1998; Bloch, 1999; Robinson, 2002; Ramazanoglu and Holland, 2002), the initial and timely assistance from one Black Minority Ethnic (BME) community project in particular, added significant value to this study in a number of unanticipated and consequently unplanned for ways. This BME project turned participant fears

---

<sup>2</sup> For accounts of research fatigue encountered by qualitative researchers in other fields, see Clark (2008).



and suspicions into a climate of cooperation amongst its members, by offering to explain the research intent to women and advise them of safeguards provided through the consent form <sup>3</sup> - including their right to withdraw at any time, without explanation or consequence. In addition to performing this function of endorsing the research to uncertain and hesitant participants, the offer of safe and familiar interview space within their premises, had the unforeseen effect of delivering on my promise to create a caring and equitable research environment for women.

A further substantial benefit came from the offer to use 'in house' interpreters, themselves migrants to the UK, known to and trusted by these women. Whilst the use of a translator requires balance for women's comprehension of language used to construct meaning and women's objectification from a third person's presence and interpretation of their voice (Temple and Young:2004), choosing from a number of BME interpreters aided with negotiating differences across stated meaning, implied meaning, non verbal communication and cultural nuances.

An additional benefit from using the BME gatekeeper lay in their store of counsellors with expertise in domestic violence, misplaced feelings of guilt and cultural concepts of 'izzat' (honour) and 'sharam' (shame). Feminist literature raises the responsibility which comes with sharing distressing stories and, for some, brings new theorisation of the research interview as a 'therapeutic opportunity', making counselling skills a pre-requisite in carrying out contemporary and ethical feminist research (Watts, 2006). I was, at times, concerned that my pre and post interview phone calls and emails might suggest a level of after-care beyond what I could feasibly provide and, in this way, knowing a woman had access to alternate support and counselling eased my own "ethical hangover" in this area (Lofland and Lofland, 1995 cited in Dickson-Swift et al, 2007: 343).

In short, the BME gatekeeper generated sufficient interest for one focus group comprising seventeen members and five subsequent women willing to take part in semi structured interviews (Zara, Davina, Survivor, Neeta and Ayse). In their generous offer of access to services, as well as to women members, the

---

<sup>3</sup> To view the women's consent form, see Appendix 2.

gatekeeper co-created conditions of ethical care conducive to rich and meaningful 'truth telling' of trafficking experience.

The two additional women who participated in a semi structured interview (Olimpiya and Ikra) were accessed independently of the BME project. Contact with these women was made through websites generated by the snowball sampling. In their cases, access was made via emails and sustained through the rapport of mobile phone calls. Trust was built by sharing background information and consent forms, in advance of the actual interview. By inviting women to collaborate in sharing as much or as little information about themselves as they wished - along the lines of where she learnt to speak English? Was this her first time away from home? Where is home? Does she have children? What work does she do? - I was following the feminist call to make myself "vulnerable", by sharing control of the research agenda with my participants (Stanley and Wise, 1993 cited in Letherby, 2003: 114). In fact, as I travelled by train to meet these women, in their coffee house of choice, I was constantly plagued by doubts of would I find the place with my poor sense of direction? Would public transport get me there on time? Would they even be there? And if they were there, what if they'd changed their mind about the interview or simply didn't take to me?

The two remaining individual stories (Sofia and Tijana) were sourced from case studies, which provided an alternate route for collecting women's stories. These are discussed separately in section 3.5.3.

Before leaving issues of access, two factors in particular should be raised to dispel any notion that accessing participants was unproblematic for this study. The use of snowball sampling to find women participants introduced an inevitable bias into the research, as only trafficked women in contact with a service provider, or engaged with other support networks, could be reached for their trafficking experience (Eaves, 2010). Alongside this, the purposive sampling succeeded in generating anti-trafficking professionals open to interview, but blocked any and all access to trafficked women 'rescued' through police raids and officially placed in the 'protective custody' of a state supported safe house. This meant that all the women who took part in the research were, in common trafficking parlance, in a 'stage of recovery' and housed within the wider communities where they lived. As Agustin (2007b) suggests, essentially

my own trafficking research will have found and considered the stories of “most women”, in the continuum between the freshly rescued and deeply traumatised victim, and the recovered woman rehabilitated to her former self- actualising self. In researching persons trafficked into the United States, Brennan (2005, 38) refers to women occupying this research territory, as being in the “golden middle” between captivity and resettlement. In light of this, the final two stories of Sofia and Tijana, derived from testimonies in their case studies and interview with a case manager, sheds a partial lens on experience outside this middle ground and located within the earlier and rawer stages of official trafficking interventions. See their vignettes in section 3.6.1 below. In responding to Di Nicola’s (2007: 59) call “to deal with selection bias by taking it into account rather than pretending that it does not exist”, the contribution and limitations of my qualitative research are made transparent.

### ***3.5.2 Choice of methodological tools***

In searching for the methodological tools with which to undertake this study, I ‘gazed back’ on the thesis aim of creating what Harding (1993: 56) terms “less partial and distorted accounts” in feminist knowledge creation. Borrowing from a postmodernist influence, privileging multiple subjectivities over one universal female experience (Olesen, 2000), I chose the research relationship, the place of gender and the role of reflexivity, for enhancing the quality of representation and accountability to the women’s individual stories of trafficking.

Whilst all three necessarily interconnect within the research enterprise, the research relationship was used to challenge the masculine imbalance of power located in the researcher as expert and the participant as lacking control and expression of her own viewpoint. From the outset, I was concerned with how my own subjectivity could influence the process of creating knowledge. Whilst social scientists agree on a link between social location and personal subjectivity - in other words, that factors of gender, class and race inform individual identity, values and experience - there is disagreement on whether sameness or difference operate to aid the exchange of information between researcher and researched. Framed in postmodern feminist research language of sameness as ‘insider’ and difference as ‘outsider’ knowledge, I have no real idea of the extent to which participants’ stories might have taken a different shape were I a sex worker, a migrant to the UK or had my own marriage been

transnational. My interest was that of an outsider, with a modicum of professional insider knowledge into the disadvantage to these women from social policy and state laws. If, as feminists argue, all research is in some way subjective, then one way of addressing this methodological dilemma, is for the researcher to provide analysis of the interview as a social relation (Oakley, 1981), and of herself as a subject in her own research (Olesen, 2000). Following such feminist calls to invest of oneself and to self-disclose (Oakley, 1981; Reinharz, 1992), the question which most stood out for me was one of "Did I ever feel that helpless?" Whilst I could not reply with detailed insider knowledge of a trafficking example, I was able to bridge the divide by sharing personal stories of labour exploitation and by trading in marital anecdotes. Coming into the study from this outsider position, the efficacy of disclosure in forms other than direct experience was of real benefit.

The feminist concern with finding the right tools for carrying out research of a qualitative and caring nature, however, is not confined to the research relationship and associated questions of subjectivities. It also embraces power. As a woman interviewing other women, Oakley (1979; 1992) considers gender to be a powerful methodological tool for equalising power, with gender positioning the researcher on the side of the researched. This shared gender can be extended into claims of 'kinship'; establishing bonds of intimacy and empathy across the researcher / participant relationship, as between individuals sharing a common heritage (Humphries, 1997 cited in Watts, 2006: 400). In both these conceptualisations, gender operates to reduce the space for negative difference, as in misunderstandings and misrepresentations between insider and outsider knowledge. By further replacing the masculine text book approach to interviewing women in this study (Oakley, 1981), with a social relationship supporting a dialogue on trafficking developments - as in their rights under the Convention and new initiatives towards a global anti-trafficking directory - I was able to minimise the effects of researcher / participant exploitation and harm.

In selecting methodological tools capable of realising less exploitative and less partial accounts of women's experiences, reflexivity was employed to further help in identifying the interplay of researcher and participant influences in the construction of women's trafficking stories. As already raised, this study was not

meant to be representative of a trafficking experience. Given its qualitative nature, the fieldwork was interpretive, partial and situated; according to the women it reached, and the participants' individual histories and particular socio-cultural locations. For example, one type of question I asked of women trafficked for marriage, was 'Did they, at any point, have a marriage ceremony?' Consequently, reflexivity lent itself as a useful methodological tool against undue researcher influence and interpretation bias. Defined by Davies (1999 cited in Pillow, 2003: 178) through its application to research, as "the way in which the products of research are affected by the personnel and process of doing research", there is considerable disagreement within feminism over how reflexivity ought to be practised (Fonow and Cook, 1991; Denzin and Norman, 1997). In light of this, my own application reflected Humberstone's (1997) lens on reflexivity, as deep reflection and critique for the purpose of increasing transparency and accountability to less visible and less powerful participant voices. In following Fine's (1992) feminist care to "articulate how, how not and within what limits" my participants' voices were "framed" and ultimately "used" (cited in Olesen, 2000: 232), my adoption of reflexivity, as a methodological tool for fieldwork, provided protection against homogenising women's experience and individual narratives of agency and struggle within the study.

### ***3.5.3 Principal methods of data collection***

Within the thesis, the notion of power has itself been re-theorised as relational, experiential, subjective and capable of existing in patriarchal and oppressive contexts. As outlined above, the challenge for methodology was to find a means of realising this reconfiguration, in a way that empowered participant voices in the knowledge creation.

The fieldwork period extended from December, 2008 through to the end of February, 2010, during which time, the National Referral Mechanism (NRM) for identifying and supporting victims of trafficking was introduced (see Chapter 1). The lengthy, intensive and persistent search for participants via snowballing and purposive strategies was such that, by the end of the fieldwork term, the research venture had gained sufficient legitimacy, as to open doors to trafficking forums attended by NRM first responders and practitioners. Had I been conferred this near 'insider' credential sooner, I may have been able to access a few women (in addition to the 2 case studies) from the hidden and police

rescued trafficking population. Nonetheless, scholars agree on the shortage of empirical research presenting the voices of trafficked individuals and observe, for research which does, that findings are often project-led (Salt, 2000; Brennan, 2005; Gozdziaik and Collett, 2005). Reflecting on issues raised in providing a role for a formerly trafficked person in research, Brennan (2005: 43) writes

“In the case of trafficked persons to the United States, they have been voiceless for different reasons: because of fear of reprisals from their traffickers, their stage in the recovery process, and concern that their community of co-ethnics will stigmatize them. Given these obstacles, it is possible that few ex-captives will ever step out from the anonymity of their case managers’ offices, to give interviews to researchers...”

Speaking for my own fieldwork, my independent research status, combined with qualitative methods privileging participant voices in the co-creation of knowledge, contributes an absent dimension to existing knowledge of trafficking. Additionally, given the absence of qualitative data on traffickers (Goodey, 2008), women’s stories together with the two case studies offer insight into the practices and actions of traffickers.

Following the sequencing in the fieldwork schedule of focus group, followed by semi structured interviews with trafficked women, with the majority of anti-trafficking professional interviews post-dating introduction of the NRM in April 2009, this schematic is followed through into the methods of data collection presented below.

### ***The focus group***

Whilst it would be disingenuous not to acknowledge my initial reason for accepting the offer to conduct a focus group as one of expediency - I had only secured one interview with a trafficked woman before it - I soon came to reassess my attitude towards this method of data collection. Focus groups form a naturalistic approach to data collection (Bryman, 2004). This proved to be the case in my own study, which recruited participants for the focus group from an established women’s group within the BME project. These women already knew one another well and had formed bonds as women, either trafficked for forced marriage or who had quickly become illegal once the marriage broke down

(Samad and Eade, 2003). Given this level of trust and shared knowledge, these women appeared comfortable with talking about experience in an area they clearly had lived insider knowledge of.

The fact that the women had informed opinions, based on subjective experience, significantly enriched the co-production of knowledge. Their breadth of knowledge created a freer climate of exchange across difficult and contested issues of agency and victimhood, beyond anything I could have artificially planned. These women felt less obliged to agree with myself, as the group leader, and less pressured to agree with the three most outspoken women within the group (Carey, 1994). Such a demonstrable show of power was, of itself, a testimony to the women's agentic capacities and of their considerable expertise in trafficking matters. For my part, their comfort and enthusiasm instilled confidence in the focus group as a feminist qualitative method, suited to researching women's imposition of meaning on gendered experience (Wilkinson 1998; 1999; Madriz, 2000).

A number of researchers extol the virtues of the focus group as empowering of groups further marginalised through their ethnicity (Chiu and Knight, 1999; Madriz, 2000). In spite of all my preparatory correspondence and planning to create the optimal conditions for success (Kitzinger and Barbour (1999) advise having ten to twelve participants), seventeen women from ten different ethnic groupings, and requiring the services of three multi lingual interpreters, turned up for the focus group. Chairs were lined up against three of the four walls, providing extra seats to the oblong table seating ten, with a trestle table of food and drinks along one side. The women's contributions of ethnic cuisine - as symbolic of their identity, cultural heritage and life back home - conforms with Hage's (1997) account of migrant community building, and represented a tangible way for my participants to share in the research agenda and increase their felt power to converse within this forum. This symbolic quality of food for providing a 'safe space' for social and cross cultural interaction was also found by Lewis (2007b), in her research with asylum seekers and refugees within the UK. Observing for her ethnographic study of Leeds, a West Yorkshire region in the UK, Lewis (2007b: 202) writes

"Cuisine can be an 'easy and rewarding' bridge across ethnicities and cultures, albeit a partial and attenuated one. Presenting, sharing and

enjoying food provided both men and women...with an opportunity for individual, group and cultural pride, and provided a (positive) chance for inter-cultural learning and appreciation”.

Gazing back on my inexperience with this particular research method, my unfamiliarity with focus groups may have worked to my advantage in two ways. In complete contrast to my fears of over regulating the group and producing researcher led findings, I found myself in Jowett's (2006) position, when interviewing young women on feminism, of running to keep pace with them. I, too, frequently found myself chasing the tail ends of discussion, rather than influencing its threads. One example where control gave way to process regards an outbreak of mirth, following a long pause and then rapid admissions that no one, inclusive of interpreters, had understood what 2 members speaking in a local dialect had said! The other advantage relates to the issue of a white researcher interviewing an all BME group. Pollack's own experience of this in her focus group, reflects the space this dynamic creates for different and alternate narratives to emerge, which she refers to as “counter-narratives” (Pollack, 2003: 471). Unlike Pollack, who designed for this dynamic in her research on race and power in black women's experience of prison, mine was a given. Whilst wholly unintentional, this worked well for power sharing, as women voiced singular and collective “counter-narratives” to the prevailing and populist victim discourse on trafficking. This visible composition of an all-Black and Asian focus group participant base and a white researcher, also worked to profile colour, discrimination and racism in a tangible way. From a position of strength in numbers, women raised systemic barriers to their well-being and agency freedoms from racism, orientalism and sexism, as well as other factors in their social location shaping their opportunities for agency and movements. This majority voicing of a BME minority grouping, provided partial redress against researcher bias and claims of feminist knowledge production as less valid, deriving from a colonial legacy of feminist knowledge creation as racialised <sup>4</sup>.

---

<sup>4</sup> Given this chapter lacks the time and space in which to do this issue justice, a fuller critique of Western liberal feminism can be found in the following works by Mohanty: 1988; Spivak: 1988; and Doezema: 2000b.



### ***Women's semi structured interviews***

Thanks to the 'feel good' factor of the focus group, eight women signed up for individual semi structured interviews over three days following the group. Five took place: Zara, Davina, Survivor, Neeta and Ayse. Their stories are profiled in section 3.6.1. Feminist researchers document the researcher's need for flexibility and sensitivity to pre-existing and competing pressures on their participants' time (Oakley, 1979,1981; Armstead,1995) and, with the benefit of hindsight, the three 'no shows' may have been related to their interviews falling over a weekend, when the women had increased responsibilities for child care. There was no follow up on the three who did not attend, as the BME women's experience of trafficking was related to transnational and forced marriages and, therefore, it felt more balanced to take the search for participants elsewhere.

This net widening produced an additional four women whose stories are included in this study. The strategy I adopted was to revisit the core agencies contacted in the snowball sampling and ask them to re-advertise and forward the research details onto any relevant projects and their web sites. One project staff member contacted me with details of an organisation in touch with a woman who had been trafficked and who was now living in the local community. I left my details with the organisation, who forwarded them onto the woman in question. Following a number of mobile phone chats about myself and the research venture, she agreed to meet me for a semi structured interview. This participant was Olimpiya; a woman with multiple experiences of being trafficked several times over for sex. The second woman contacted me directly after seeing my research request on a project website. We corresponded by email for a period of 3 months, before arranging to meet up for a semi structured interview. Ikra's story of trafficking is located in a mixed population flow bridging smuggling and trafficking for labour exploitation.

The final two women's stories (the case studies of Sofia and Tijana) were the outcome of prolonged dialogue held with agencies affiliated with NOMS. This process began with a request for institution specific ethics approval, as early as 2007, despite already holding ethics clearance from the University of Hull (Code of Ethics, 2007), which enshrines the Social Research Association Code of Ethics (2003). This dialogue was largely maintained by email correspondence, with the occasional meeting to monitor any changes in the direction and intent

of the research study. Persistent contact resulted in permission to access two case files on trafficked women and a case holder over 2009 / 10. The case materials comprising reports, witness testimonies, agency assessments and interviews with a host of officials, documented the stories of an illegal migrant to the UK for hospitality work, subsequently trafficked into prostitution (Sofia), and a woman with multiple experiences of being trafficked for sex and one account of being trafficked for the explicit commission of crime (Tijana). These women are also profiled in section 3.6.1.

It is perhaps worth noting here that, in contrast to the acknowledged role of community organisations in facilitating research with refugees and migrant populations (Carey-Wood et al, 1995; Robinson, 2002), the evenings spent volunteering at a number of refugee centres, within travelling distance of home, failed to raise any new participants for my research. Although there is no way of knowing the real reasons behind this, I am inclined to explain this by way of lower overall numbers of trafficked persons, as opposed to numbers of refugees in the UK, and an impression of added protection from intrusion afforded to those considered to be the 'victims' of trafficking activity.

Creating the conditions for 'truth telling' within the semi structured interviews posed a different set of challenges from the focus group. Unlike the "social moments" claimed for focus groups (Jowett and O'Toole, 2006: 458), where women hear and are prompted to share in each other's stories and experiences, individual interviews can feel isolating and de-contextualised (Wilkinson, 1998).

As a feminist interested in other women's stories of subjective experience, an important design challenge lay in how to transform the semi structured interviews from a conversation to an indepth, purposeful and cooperative sharing of information. In looking for a way of reaching a difficult trafficking story, Reinharz and Chase (2002, 229) advocate the use of "strong listening skills", within the interview setting, as a way of creating a pathway to access participants' stories. The interview intention to seek out subjective meaning, interpretation and feelings of agency and struggle within the trafficking experience, suggested the style of questioning as equally critical for accessing the detail in the stories. Socratic or open style questions were, therefore, privileged for their suitability in unpacking and exploring innate issues

concerning choice, autonomy, agency, power, pain, exploitation and control. Some overarching examples of these are: Can you give me an idea of why you came to this country? What can you tell me about the way in which this was arranged? How did you get from home to the UK? What were your thoughts and feelings during this journey? When you arrived in the UK what happened? How would you describe your situation? What could you do to make things better for yourself and others? What things stood in the way of making change happen? How are things different now? Is there something I should have asked you? For a full women's interview guide, see Appendix 4.

This approach to inviting and listening to what women say seemed key to unlocking how they self defined; what aspects of experience were exploitative and victimising for them; what women made of the opportunities and constraints (both personal and structural) open to them; and why women react differently in and to trafficking experience.

I posed the same set of questions to the material within the two case studies, as I did of the seven semi structured interviews, and found it surprisingly appropriate for the interview content compiled on Sofia and Tijana. My decision to treat all individual stories in the same manner was rooted in Fontana and Frey's (2000: 664) standpoint on the semi structured interview as a method of "practical production". Referring by this to the way a semi structured interview constructs joint meaning through the interactions of researcher and researched, the need for a different / separate approach to knowledge creation from case interviews seemed unnecessary. Viewed under this lens, learning created in the context of an interview, is recognised as a product of interplay across insider and outsider knowledge.

### ***Semi structured interviews with anti-trafficking professionals***

Chapter 1 introduced the official, legal and political productions, setting the scene for how trafficking experience has come to be viewed by Government and its Competent Authorities; NGOs and anti-trafficking practitioners; and others actively influential in policy decisions on trafficking. Gaining an appreciation of how any rounded knowledge of women's agency and victimhood is, necessarily, mediated by players key in the official performance of who and what experience qualifies a woman to be a victim of trafficking, required engagement with actors involved in the official constructions in trafficking.

Consequently, a spread of staff from across a number of agencies, were purposively selected for their contributions to official discourses on the trafficking victim, trafficking experience and trafficking support. These individuals, collectively referred to as anti-trafficking professionals or professionals within the research, totalled fifteen in number and, for the purpose of this study, were classified into three research groupings. This triangulation in method was in keeping with the feminist goal of revealing meanings imposed on women's lives and should therefore be viewed as a complementary, rather than as a validating, source for women's standpoint.

The 3 research groupings were categorised as follows:

*Government Enforcement Organisations:*

Six professionals were assessed as belonging to this category. They are referred to throughout the research as governmental enforcement officers or GEOs. As raised in Chapter 1, Competent Authorities or CAs are tasked under Article 10 of the Convention with determining a person's status as a victim of trafficking. Within the UK, the Competent Authority is divided across the Police and Immigration Services, but operates closely with other statutory service providers, namely Health and Social Services. During the field work term, there were approximately ten CAs spread across the country and lodged amongst other operational business units. Three of the six GEOs interviewed occupied a senior position in their team and were involved in managing an aspect of CA business and development. The three remaining GEOs were involved in the day to day delivery of the core work of the CAs.

*Non Governmental Organisations:*

Six additional staff members were allocated to this grouping. These are staff employed by charities and churches or who work for a specialist project supporting trafficked females. All the NGO staff interviewed had work related information / experience of trafficked girls and women and, with one exception, had been in formal case discussions with either the Police led UKHTC or the immigration based UK Borders Agency and its satellite CAs.

*Partnership Organisations:*

Three staff members were placed here on the basis of their specific and specialist 'in house' remits involving diversity, refugees, asylum, migration and

trafficking. They each carry the additional responsibility of a partnership role or multi agency working and represent their own organisation at inter agency forums. Their inter agency audiences include the Police and Criminal Justice representatives, migration, community and faith leaders, as well as local politicians and civic dignitaries.

Clearly, some individuals cut across the research-imposed boundaries drawn above. For example, some senior Police and Immigration personnel have an active presence within the CAs, link into community forums and training events with NGOs, and service partnership agreements and protocols across both the voluntary and statutory sectors. Similarly, one of the NGOs carrying charitable status was also in receipt of government funding during the research period. In spite of such overlap, these groupings present as defensible, based upon their trafficking remits in the UK run up to and post ratification of the Convention in December 2008. As with the focus group and women participants, neither individual staff members nor their agencies are identified to ensure their anonymity, respect their confidentiality and to protect them against any harm from taking part in the research activity. In addition to this, it was important to demarcate the individual views expressed by staff in the research from being read or regarded as wholly representative of the organisations they work in. In adopting this position, my research supports the ethical call for social science researchers to adopt a 'morally responsible' position towards agencies and their staff in conducting social policy research (Clifford, 2010) <sup>5</sup>.

The research intent across the professional interviews was in keeping with the overall thesis aim of exploring the nature of agency and victimhood within contexts of trafficking. However, their basic questions were tailored to help unpack any ways in which anti-trafficking professionals, either assist or resist women's expressions of subjective identity, agency and understanding of victimisation, when responding to them as victims of trafficking. The analytical interest here was in how professionals identify a woman who is trafficked? What constitutes trafficking experience for them? What services do trafficked women require and why? What happens to women with different trafficking experience and stories to ones in populist or official discourses? For a full professional's

---

<sup>5</sup> Details of the three professional research categories are provided in Appendix 1 and Appendix 3 houses a copy of the professional consent form.

interview guide, see Appendix 5. As with women's semi structured interviews, care was taken to minimise the portrayal of anti-trafficking professionals as a reified group. A conscious decision was taken to learn something about each of them as individual workers, along the lines of what motivated them to work in a trafficking related field and what their 'one anti - trafficking wish' might be? <sup>6</sup> This felt in keeping with Oakley's (1981) feminist concern to avoid a text book approach to interviewing within the mixed gender group of professionals, as well as confirming my aforementioned claim to a 'morally responsible' approach in interviewing professional actors.

### ***3.5.4 Handling the data***

The dual commitment within principles of feminist research and an ethic of feminist care, to women's private well-being and empowerment and to women's social improvement and community transformation (Tronto, 1993), connects centrally to responsibilities for handling the research data. Social scientists caution researchers against editing findings "as more patterned and congruent than they really are, lopping off the many loose ends of which social life is made" (Miles and Huberman, 1994 cited in Denscombe, 2002: 212).

Feminist researchers echo this warning around truth claims, particularly with regard to whose representation and which interpretation is favoured. As previously raised, post-modern feminists face the extra challenge of recognising female subjectivities and experiences as multiple, as co-produced by researcher and researched, and as capable of challenging women's oppression. Being the sole transcriber for the study, and typing the transcripts verbatim, was one way of monitoring the integrity of representations claimed for my participants. Verbatim transcripts maintain the data 'fresh' for the researcher to review time and again (Bertrand et al, 1992: 201). In the handling of sensitive transcripts, which are frequently recorded, Warr (2004) provides additional ethical argument against employing transcribers from outside of the study. Warr suggests that the impact from hearing a voice, as against reading it, can be traumatising for the outside listener, as well as opening the voice out to the possibility of being differently and emotively heard. A feminist care for participant voices, through the use of quotes in the thesis text, provided an additional way of reflecting the knowledge process as shared with my

---

<sup>6</sup> These are considered in Chapter 8 – see (8.4).

participants, and of reducing the influence of my interpretive authority derived from my role as researcher.

In attempting to extend the reflexive style of interviewing used in the study through into analysis, I chose a system of intuitive coding as complementary for a qualitative feminist handling of the interview data. Borrowing from Charmaz's (2002: 527) feminist and constructivist approach

"My version of grounded theory fosters the researchers' viewing the data afresh, again and again, as he or she develops new ideas. Researchers can code and recode data numerous times.... Posing new questions to the data results in new analytic points. I go back and forward between the data and the drafts of chapters or papers many times. I take explicit findings in certain interviews and see if they remain implicit in other interviews".

The fact Charmaz applied a feminist perspective to one of her own studies on chronic illness (Charmaz, 1990), suggests compatibility across feminism and a constructivist grounded theory - a standpoint shared by Wuest (1995), Annells (1996) and Olesen (2007), though by no means all feminists.

In keeping with the principles guiding a constructivist grounded theory approach to data analysis, I used open codes to organise the data in ways which led to new questions and levels of interpretation. In this way, whilst my initial codes stemmed from my research questions, subsequent codings were drawn from the interviews and privileged what my participants determined as most significant and relevant. A "coding and retrieving" strategy, as per Coffey and Atkinson (1996: 29) was applied to knowledge creation across my three participant groupings, for its ability to produce a qualitative and grounded conceptualisation "most often associated with coding as an analytic strategy". I used the three steps:

"Noticing relevant phenomena, collecting examples of those phenomena, and analysing those phenomena in order to find commonalities, differences, patterns and structures" (Coffey and Atkinson, 1996: 29).

These have informed the selection of empirical findings presented in the chapters which follow.

The aforementioned suitability of grounded theory for feminist study is, however, only one aspect of methodological dissonance. Another, and perhaps more pertinent issue in my own study, is the timing of literature and the place of existing theory in grounded studies. Scholars opposing prior reading and theorising, do so on the basis that it introduces bias, adds distortion and limits insight within the research venture. Hickey (1997) and Glaser, (1998; 2001) feature amongst those favouring a traditional grounded theory position on this issue. Scholars favouring a more relaxed approach recognise a reality, in which many researchers and professionals begin their studies pre-equipped with knowledge of relevant literature and theories shaping research in their chosen areas (Morse, 1994). From a qualitative, post-modern standpoint, the researcher is centrally located in the knowledge process and an active collaborator in the co-creation of knowledge. From this realisation, the data can usefully be interrogated by prior knowledge (Strauss and Corbin, 1990; 1998).

As seen, Chapter 2 considered how other scholars have researched agency and victimhood, both within trafficking for sexual exploitation, and other sensitive and contested contexts of prostitution, domestic violence, Islamic veiling and migrations for sex work. Furthermore, a relational lens is considered for raising challenge to the singular and oppositional discourses surrounding women's agency and their victimhood. Whilst these ideas contributed to the overall theoretical framework, the analytical approach to the data was strongly grounded in developments, findings and challenge arising out of the empirical data. In other words, the new contribution lay in the way women construct their personal identity in trafficking experience and in the way they give meaning to experiences as agentic and victimising. Similarly for anti-trafficking professionals, the new knowledge rests with how professional actors both construct and challenge official meanings ascribed to a trafficking identity, and to what does and does not qualify as trafficking experience. Across both sets of participants, there was fresh engagement with how aspects of women's agency and struggle influence their ability to access trafficking support. Codes were intuitively framed around both subjective and ascribed meanings and experiences of struggle, agency, identity, power, exploitation and choice, as they emerged from the interview data. In short, my decision to consult the literature was foregrounded in my stance as a post-modern researcher in the



knowledge process. Under this lens, I viewed the discourse in handling existing and emergent theories as one of synergy - how to use what is known to expand emergent theory and emergent theory to problematise what is known about the trafficking experience.

All of the above anxieties governing the quality of information and data representation are matched by additional feminist concerns with how research is ended. Recognising myself as a resource for these women carried potential for generating its own set of ethical dilemmas - as in falsely raising women's expectations beyond what the researcher could feasibly provide in terms of friendship or support. I opted for support, by making one off payments to women who took part in semi structured interviews and undertaking a mix of donations and fundraising for selective charitable agencies involved in supporting trafficked women. Whilst I carried some early internal reservations over how gatekeepers might perceive this outsider activity, cash donations can be both lifelines and welcome extras - as in making a Christmas party possible for the women and children in the BME project. Most of the women participating in the semi structured interviews volunteered where their payments were destined: For example, towards a pair of 'Uggi' boots, some 'hard to get' ethnic foods or a treat for their children. I was happily surprised to learn of their attitude towards payment as one of respite, albeit small and temporary, from always having to make do.

In drawing this exploration of research representation and feminist endings to a close for my study, the issue of dissemination remains. This created perhaps my biggest 'ethical hangover', since issues of interpretation, representation and data integrity assume a greater significance when personal material is presented for public consumption. As Patai (1991) observes,

"the only projects that avoid these problems are those...with the community assuming the role of both researched and researcher" (cited in Letherby, 2003: 119).

In crossing the divide from private to public, via the research intent of developing women friendly policy, my study was not one where community fulfilled both of these roles. Consequently, its value for achieving feminist ideals of transformation and empowerment for trafficked women was, and remains, subject to certain restrictions. Opening out women's personal and private lives

to the public gaze carries an additional risk of patriarchal and sexist distortions, over and above those already brought to the process by the presence of an external researcher (Ribbens and Edwards, 1998). There is also pressure, when presenting women's lives for public show, to homogenise women's varied and personal experiences in order to seal the need for new understanding and social change. This is reflected in the definition of what constitutes a public, as opposed to a private matter:

“The defining of any phenomenon as a social problem implies that this is an occurrence that requires some form of collective response, rather than individual resolution” (Page, 2001: 17).

To this end, any effective social challenge to the dominant victim narrative in trafficking may well disadvantage individual women whose lives do not fit the accepted social model. Additionally, any effective social challenge may not reach those women who choose to remain outside of the official NRM framework of services. These costs will need to be weighed against the potential benefits to trafficked women from politicising their personal stories and experiences of trafficking.

### **3.6 Pen Portraits**

Every effort has been made to ensure the confidentiality and anonymity of all participants. With respect to women with a trafficking experience, most chose their own alias and remained in control over the degree of information they felt comfortable in sharing. In the case of anti-trafficking professionals, these are identified through their affiliation with a particular organisational type or via their key roles (see Appendix 1). In cloaking identifying features, a balance has been struck between celebrating participants' subjective and dissonant voices, and researcher responsibility for protecting the subjects of research against anticipated and unintended sources of intrusion and harm (Diener and Crandall, 1978). As final comment, it is acknowledged that social class is an increasingly complex category to define, especially when applied across cultures (Crompton, 1993). Women were invited to assess their own class position and some offered an explanation for them. Overall, I gained a sense that class position was determined as relative to opportunities for education, accessing luxury food items, necessity and choice in work and ability to travel. The greater these opportunities, the higher the level of perceived social standing. Personal

perceptions of class were always drawn in comparison with others within their immediate communities, and could work to both raise and lower a family's standing.

### ***3.6.1 Vignettes of trafficked women***

#### **Zara (semi structured interview)**

Zara was the only woman interviewed who was born in the UK. At the time of her interview, she was twenty six years of age and the youngest woman interviewed. Zara stood out for combining westernised dress with an ethnic, brightly patterned headscarf, which was knotted neatly beneath her chin. She presented as a bright and socially astute individual. During her adolescent years, Zara had attended college and worked in the family business. She described her upbringing as middle class. When Zara turned eighteen, she discovered by chance that her family had arranged for her to be married to her cousin in Pakistan - a young man she had never before met and who was three years her junior. Not wanting to be parted from the boyfriend she was in love with, she ran away from home. Zara was found after ten days on the run and forcibly flown to Pakistan, accompanied by one of her brothers. Once in Pakistan, Zara's passport was taken away from her, with the threat of her never again returning to Britain, unless she took part in a marriage ceremony. In describing her marriage day to me, Zara portrayed it as if living a nightmare. She was unable to speak the words, hindered by her limited knowledge of the language and in protest at being forced to take part. "I was his passport not his bride". Zara remained married to him for seven years, spending the first part of this period in Pakistan, learning how to be a 'good' wife. The second half was lived back in the UK. Throughout her marriage, Zara described herself as his family's unpaid servant and her husband's sex slave. She was subject to episodes of domestic violence. Following bouts of depression, eating disorders and an attempted overdose from a cocktail of drink and pills, Zara escaped with her daughter to a women's refuge, and was placed in a safe house away from the area. Zara has slowly rebuilt a life for herself and for her daughter, but exists outside of any supportive networks traditionally available to other Muslim women.

Zara's story fits with international definition of trafficking – her story being one of marriage in a context of human trafficking (UN General Assembly, 2007; EUD,

2011). Her story shows evidence of transportation, force and threats (consistent with the act and means in trafficking), as well as exploitation experienced by way of a forced marriage, domestic and sexual servitude (trafficking purpose) <sup>7</sup>.

### **Olimpiya (semi structured interview)**

Olimpiya was born in the Ukraine. At the time of her interview, she was thirty three years of age and a widow. Olimpiya looked immaculate - her hair was styled, her nails were manicured and her outfit was complemented by her matching shoes, bag and accessories. I could easily picture her in her former role as a young bridal designer, back home. Olimpiya described her upbringing as upper class, citing the fact her family ate both black and red caviar as evidence of this. As we drank coffee together, Olimpiya carefully unwrapped a chocolate 'Baci' she had in her handbag and read out the romantic caption to me: 'The world may be one but you are one in the world'. This caused her to reflect on how sad her own marriage to a violent, alcoholic man, frequently in and out of prison, had been. Additionally, his recidivism caused both financial and social restrictions on Olimpiya, as sole parent and provider for their three children. Whilst he was serving one such prison term, Olimpiya decided to leave the children with a relative, and take up the dual opportunity to travel to Turkey and earn some steady money, working in a factory producing leather goods. Here, Olimpiya was persuaded by a female workmate to pay the workmate's boyfriend and join her in upgrading to casino croupiers in Moldova. On the day of travel, her friend fell ill, leaving Olimpiya to undertake the journey alone with the boyfriend. It was during this journey that Olimpiya realised she had been 'tricked' and found herself sold on by him at the Turkish border. This was a practice which was repeated time and again, across various borders, wherein Olimpiya would be sold on to other women (and sometimes men), for the purpose of working as a prostitute. Her traffickers controlled her with threats and actual violence. By the time Olimpiya arrived in the UK, she was in a situation of extensive debt bondage, having had the proceeds from sex work withheld as payment for accommodation and food and now owing her traffickers for the cost of her overland travel and her work clothes. During her second attempt to escape from her trafficker, Olimpiya was successfully referred by the

---

<sup>7</sup> The finer details and complexities, in each of the women's stories, form the empirical findings presented in subsequent chapters.

Police on to the Poppy Project for help and support as a trafficked woman. Olimpiya has been granted indefinite leave to remain in the UK and is now accommodated in the community, where she is studying for a new career. Olimpiya likes the UK for being a 'human' country, but cannot properly settle or fully recover, until she is reunited with her three children, who are now in Ukrainian state care.

Olimpiya's story fits with international definition of trafficking - her story being one of human trafficking for the purposes of sexual exploitation. Her story shows evidence of repeated recruitment, transportation, force, and deception (consistent with the act and means in trafficking), as well as sexual exploitation as a prostitute (trafficking purpose).

### **Davina (semi structured interview)**

Davina was born in the Punjab region of India and although thirty two years old, appeared much younger than her years. Being of slight build and extremely softly spoken, Davina had an air of fragility about her. I was surprised when she volunteered her name for interview and felt anxious that she might not be strong enough for the ordeal. Davina spent the better part of our interview in floods of tears.

Growing up in the Punjab, Davina received a basic school education but regarded her upbringing and life experience as sheltered, having neither attended college nor worked outside of the family home. At the age of twenty three, her parents agreed a match and Davina was given a lavish wedding, with a reception in a big hotel. Davina described this marriage as forced on her part and steeped in deception. She met her husband for the first time seven days before the wedding and repeatedly voiced a concern that he never spoke with her. Her future mother-in-law attributed this to her son's inability to speak Punjabi and Davina's total lack of English language, promising she would enrol her in English classes once they were married. Following the wedding ceremony, she discovered her husband's disability - he was born deaf and mute - and his family had been unable to arrange his marriage from within the resident UK / Indian community to whom they were known.

When Davina migrated to join her husband and in-laws in the UK, she realised the full extent of the deception. Her marriage had been a trade for a carer and

also for the purpose of forced labour. Upon arrival, all her documentation was removed and Davina was kept under constant surveillance. Outside of the home, she was transported to work in a sweatshop without pay and, inside the home, she was treated as a domestic servant for the entire extended family. Davina described her relationship with her husband as being his sex slave. This situation continued for two and a half years.

Davina ran away with her sixteen month old daughter, after learning that her in-laws meant to keep the child, but trade her back for forced labour in India. With the help of Women's Aid, Davina and her daughter have been free from trafficking control for three years.

Davina's story fits with international definition of trafficking - her story being one of marriage in a context of trafficking, and forced labour. Her story shows evidence of recruitment, transportation, and deception (consistent with the act and means in trafficking), for the combined purposes of a forced marriage, domestic servitude (within the home), and labour exploitation (outside the home) – the purposes of trafficking.

### **Ikra (semi structured interview)**

Ikra was born in Somalia and has just turned twenty nine years of age when I met her. Although registered as single, and despite losing contact during her journey over to the UK, Ikra saw herself in a long term relationship and was liaising with the Red Cross to find her partner. Ikra was educated to secondary school level and considered herself to be middle class. She had undertaken considerable work experience across several continents, in order to fund her mother's treatment for cancer. Perhaps the most lucrative amongst these jobs was making mink blankets in a factory in China. During an outbreak of civil war in Somalia, Ikra migrated to Kenya, but being a witness to police corruption and becoming a target of police violence, paid for herself and her baby to be smuggled out of East Africa on a fake passport. During the journey, her smugglers threatened to take her baby and she was forced to make further payments for the child's upkeep and continued safety, rendering her destitute on arrival in the UK. Ikra didn't choose the route or her end destination, and although Ikra had heard of the UK, she didn't know where it was on a map. On arrival in the UK, Ikra's documents were withheld by her handler and she was handed over to another person of Somali origin. Upon seeing her and her baby

as more of a burden than a potential asset to him, they were quickly abandoned on the streets without any documentation or means of survival. At the time of interview, Ikra had refugee status and was awaiting a decision on her asylum claim.

Ikra's story fits into the mixed population flow which crosses smuggling and trafficking. By legal definition, "smuggling becomes trafficking once a person who is smuggled experiences exploitation at any point from recruitment through to arrival at their destination" (Goodey, 2008: 422). Ikra experienced exploitation (extortion of further monies en route and a withholding of pre-paid for papers en route and at final destination), exercised through fear, control, and threats of harm.

### **Survivor (semi structured interview)**

Survivor was born in the Gambia and was thirty six years of age when interviewed. Survivor was a striking woman, who came dressed in bright ethnic clothing. She was tall and, having good posture, made a strong first impression. Her choice of pseudonym served her well. Survivor described her family circumstances when growing up as very poor. Survivor described a forced marriage in her own country, in her early teens, as slavery - becoming the property of her husband without any rights or say over her life. This union produced a son. As the extended family's ability to eke out an existence for itself declined with the addition of an extra mouth to feed, Survivor was sent to the nearest town to work as a 'house girl' (house maid). During this period, she met the man who she referred to as her second 'husband' and they had a daughter together. Unable to return to her village, the elders traded her to her second husband and made clandestine arrangements for her and her daughter (but not the son) to travel to the UK to be with him. The UK was chosen by the village elders for having "colonised us" (Africa). When she arrived in the UK, she remained unmarried, but was told to describe herself as his wife. Her passport was taken away and her 'husband' rarely lived in the same flat with her, returning only for sex. He also sent other men (his 'friends') over to her for sex (for which she wasn't paid), arranging cash in hand payments to her for cutting black women's hair, as a means of supporting herself. When she confronted him for keeping her "as a prostitute in my home and in my marriage", he became violent towards her, threatening to have her killed and take her

daughter and son by him away from her. Following a particularly savage assault in which he cut off all of her hair, the Police were anonymously called out to the flat and arranged for her and the children to be placed in a safe house. By the time I interviewed her, Survivor had been granted asylum status on grounds of human rights and had been living in the UK for a total of 5 years. She remains deeply distressed by her continued separation from her mother and son (now aged 15) back in the Gambia. Her father has since died.

Survivor's story fits with international definition of trafficking - her story being one of human trafficking for the purposes of sexual exploitation. Her story shows evidence of transportation, deception via a false promise of marriage, and debt bondage (consistent with the act and means in trafficking), as well as sexual exploitation via a fake / servile marriage and prostitution (trafficking purpose).

### **Ayse (semi structured interview)**

Ayse was born in Turkey and, at age forty, was the most mature of all my participants. Growing up with a teacher for a father and having four sisters, all of whom turned out to be artists of one kind or another (artist, painter, interior designer, art teacher) Ayse chose dance as her genre of creative expression.

This choice, coupled with a comfortable middle class upbringing, introduced her to competitions and travel abroad from a relatively early age. Whilst performing and travelling as a professional folk dancer over a period of eight years, Ayse learnt to speak English and developed an interest in other cultures and in travel. At the age of thirty, Ayse entered university to study fashion design and on graduating met the man she was eventually to marry. This decision to marry was a surprise to Ayse herself, as she was still mourning the tragic loss of her lover in a traffic accident. Despite the speed with which she consented to marry, Ayse was at pains to relate how carefully and honestly she had discussed marriage - her expectations, her virtues and vices - with her prospective husband. Although also from a Turkish background, he had lived all his life in the UK, so Ayse conceded to migrate once they were married.

Ayse related how she struggled with her mother-in-law's "total control" over her both pre and post the marriage and how married life rapidly declined into one of domestic servitude, sexual objectification within his circle of friends, and control



exercised as emotional violence. When I interviewed Ayse, what struck me most was how sad and changed her whole life had become since her marriage and migration. At the time I met her, she was separated from her husband and had sole care of their young son. Although Ayse has leave to remain in the country permanently, the UK is not her country of choice. However, Ayse feels she cannot return to Turkey for fear of shaming and dishonouring the family name back home.

Placing Ayse's story within official definition of marriage in a context of trafficking presents complication. There is some evidence of marriage being used as a tool to facilitate her movement into a servile marriage. There is evidence of act and means consistent with trafficking, in the form of recruitment through false promise and deception, as well as the exercise of control over her by another person (her mother-in-law). Additionally, exploitation exists as domestic servitude and emotional abuse. However, in the presence of both legal and professional discretion over what, precisely, constitutes exploitation, together with the complex nature of consent, Ayse's lack of physical suffering, the absence of physical force to control her, and her retention of her documents, opens her story to official scrutiny. These issues are examined for their effects on agency and victimisation in Chapter 5.

### **Neeta (semi structured interview)**

Neeta was born in India and being thirty eight years old was the second eldest of my participants. Neeta presented as a confident and worldly wise woman who held informed social and political opinions on all manner of controversial issues, including trafficking, crime and welfare. She had attained her degree, her Masters and a PhD in the field of Chemistry and had agreed to an arranged marriage to a "non-Indian friend" of her sister and brother-in-law, living in the States. With her family originating from the Punjab (one of India's wealthiest regions) and being from an "upper class background", Neeta accepted some risks in marrying this man. This was, partly, in response to family pressure to benefit from a professional and westernised union and, partly, to enhance her own life opportunities beyond what would have been possible even in her upper class situation. So, based upon a long distance telephone relationship, Neeta's family organised a wedding and arranged a meeting with him fifteen days before the ceremony was due to take place. The prospective husband arrived in

India two days before the wedding ceremony causing Neeta to question the wisdom of marrying. However, at this late stage in proceedings, Neeta felt outmanoeuvred by family and married him in a lavish wedding followed by a forty dish banquet. Following the wedding, Neeta migrated to join her husband and start married life, firstly in the States and then in the UK. Neeta described her subsequent reception from her husband (within the home and marriage) and her treatment from her employers as exploitative and degrading. The details of this are given in the findings chapters but the financial and social poverty she experienced, combined with the personal misrepresentation she encountered, led Neeta to tell me “I felt I am modern slavery”. At the time of interview, Neeta was already divorced, but as the couple shared custody of their son, starting a new life for herself was proving difficult.

Placing Neeta’s story within the official definition of trafficking raises dilemma and centrally connects with discourse, explored in subsequent chapters, over what experience does and does not qualify for UK trafficking help and support (particularly around marriage). Neeta’s story shows trafficking means and exploitation (deception, emotional coercion and descent into a servile marriage). However, there is no clear evidence of act (recruitment to this end) and, without this, Neeta’s transnational marriage does not qualify her for consideration of a VOT status, protections, or financial support. As previously noted, migrant women’s secondary and disadvantaged social location meant that no woman’s story, once collected, would be dismissed. Neeta’s experience is, therefore, also included for her story’s insight into the complexities and dissections crossing not only migration, involuntary migration and trafficking, but also thorny issues of consent, coercion and exploitation – the benchmarks delineating experience as trafficking.

### **Sofia (case study)**

Sofia is one of two case studies I was given access to. Sofia was born in Moldova and aged thirty when she was arrested by the UK Police and remanded in custody. She had been separated from her husband for a period of two years when interviewed and had no children of her own, following a miscarriage during the marriage. She held a diploma and was qualified to work as a radiologist. Her family had working class origins and her parents, brother and two sisters had undergone considerable hardship to put her through

University. Sofia also doubled up jobs to help finance her studies and generally support the family's attempts to improve their standard of living. These jobs were blue collar in nature and included shop work, farm hand and selling goods. She decided to seek ways of travelling to the UK for work when her local hospital closed and the family needed money to pay for her mother's cancer treatment. A friend arranged her travel to Brussels, where she was to pay a female contact 500 euro for a false Lithuanian passport. This woman arranged Sofia's overland passage and travel agents at borders between Brussels and the UK, where Sofia had been promised a live-in job in a hotel. By the time Sofia arrived in the UK, she was in considerable debt bondage and was handed over to a group of men who took her documents and put her to work in a sauna, forcing her to have sex and perform other entertainment services. Her pay was taken at source to pay off her debt and Sofia was only allowed out of the sauna when accompanied by a member of staff to buy clothes for work. She was controlled through fear that her traffickers would harm her family back home. Sofia was apprehended during a police raid on the brothel and detained for having used a false passport to enter the country. Sofia received a twelve month custodial sentence, which she served in a women's prison doubling as a holding centre for women in custody and facing deportation. Sofia has since been deported and all contact with her has ceased.

Sofia's story fits into the mixed population flow which crosses migration and trafficking. Whilst it is not clear at which precise stage Sofia was recruited (the act), she was, in the course of her journey, deceived and her family in Moldova threatened with physical harm (the means). Sofia was exploited via a combination of debt bondage and forced prostitution (the trafficking exploitation).

### **Tijana (case study)**

Tijana is the second case studies I was given access to. Tijana was born in Nigeria and aged twenty four when convicted by a UK criminal court. Tijana was orphaned at age two, when her parents were killed in a car accident. She was taken in by a friend of her mother but lost contact with her two older siblings as a result of this. She remained in school until she turned eight and was then treated as the house servant and sent to sell food on the streets for her keep. When in her teens, Tijana was befriended by an Italian woman who offered to

take her to Italy and send her to school, in return for acting as a live-in nanny to her children. Once in Italy, Tijana was put to work as a prostitute and routinely beaten by her pimps, to keep her under control and dissuade her from escaping. Tijana formed a friendship whilst working with another Nigerian woman, who in turn brought her over to the UK on false documents, with the promise of a better quality of life. Tijana was handed over to 'friends', whom she was told would look out for her. These people retained her documents and kept her prisoner within the house. On the third day, Tijana felt under enormous pressure to perform a task for these people, which involved cashing some travellers' cheques in the local post office, using a false passport. She was accompanied there but went in alone. The transaction failed and the Police were alerted. Two official processes came into play and Tijana was fast tracked through the system. An immigration check recommended "automatic deportation" but gave way to allow for an eighteen month term of imprisonment to be served, concurrently, on two charges of false representation and possession of false documents. Whilst appealing her deportation towards the end of her prison sentence, Tijana was transferred to a trafficking safe house. The outcome of her asylum claim and her whereabouts are presently unknown.

Tijana's story fits with international definition of trafficking - her story being one of two episodes of human trafficking; the first for sexual exploitation and the second for the purpose of criminal activity. Her story shows evidence of transportation, recruitment, force and deception consistent with the act and means in trafficking, as well as sexual exploitation as a prostitute. During the field work, the trafficking of persons for the commission of criminal offences was recognised as taking place but not embedded in any domestic or international policies. The EUD (2011: Paragraph 11) now endorses a trafficking purpose in forcing an individual to commit a criminal act for another's financial gain.

### 3.6.2 Table of focus group data

Composition of the Focus Group	
Number of women	17
Age range	Between 22 and 42.
Nationality	Algerian 2
	Bangladeshi 2
	British born Pakistani 1
	Chinese 1
	Gambian 1
	Indian 3
	Iraqi 2
	Pakistani 3
	Sudanese 1
	Turkish 1
Interpreters present	3 – each multi lingual
Reason for coming to the UK	Forced transnational marriage or migrations related to marriage
Length of time resident within the UK	between 1 and 7 years
Contributions made	48
Time Frame	95 minutes and 16 seconds

**Focus group observations:** Given the focus group's BME identity and focus on marriage, there is obvious representational bias. This aside, with the exception of Algeria, Turkey, and the British born woman of Pakistani ethnicity, the remaining participants all hailed from the top sending countries for UK trafficking (SOCA, 2009 /10: 42).

Of further note, China and Pakistan also feature in the top ten asylum producing countries, with Iraq occupying the second top producing country for the UK in 2008 (Asylum Support Partnership, 2009).

## CHAPTER 4: RESEARCHING TRAFFICKING IDENTITY WITH TRAFFICKED WOMEN

### 4.1 Introduction

This chapter draws on the qualitative fieldwork to explore various aspects of a trafficking identity for women with a trafficking experience. It is the first of three findings chapters which are empirically led and considered against the available literature and the backdrop of European and UK policies. The other chapters more fully consider participants' trafficking experiences (as in their journeys and forms of exploitation - chapter 5) and the agency in women's actions (and their effects on women's well-being and agency freedoms - chapter 6). The diverse role played by other women in their trafficking stories is contained in the policy discussion in chapter 7. Women's interviews are privileged within these chapters, with professional interviews providing an additional perspective on important issues highlighted by the women. The rationale for doing this comes from the lack of women's voices in trafficking research (Salt, 2000; Brennan, 2005; Gozdziaik and Collett, 2005; Kelly, 2005), and in acknowledgement of the role played by anti-trafficking professionals, as actors within the UK's formal process of victim identification. As the Anti-Trafficking Monitoring Group Report (2010: 34) explains:

"The Convention does not contain a blueprint for the identification process. Like many other countries, the UK has drawn on ... 'indicators'<sup>1</sup>, the signs that suggest, directly or indirectly, that a person might be or have been under the control of traffickers. Based on these indicators...referral must convince the Competent Authority that there are 'reasonable grounds' to believe".

---

<sup>1</sup>To access the UK indicators of trafficking, see the following:

For Trafficking Toolkit: *Tackling Trafficking*, CJS, 2009.

Available: <http://frontline.cjsonline.gov.uk> or

[http://www.crimereduction.homeoffice.gov.uk/human trafficking005.htm](http://www.crimereduction.homeoffice.gov.uk/human%20trafficking005.htm)

For Trafficking Toolkit - *Special Arrangements for UK Border Agency*, 2009.

Available : <http://frontline.cjsonline.gov.uk>

For *London Safeguarding Trafficked Children Toolkit*, London Safeguarding Children Board, 2009. Available: <http://www.londonscb.gov.uk>. All accessed on line 22. 03. 2010.

Consequently, this chapter is not an evaluation per se of the UK process, which is available elsewhere (Poppy Project, 2008; Eaves, 2009; UKHTC, 2009a; ATMG Report, 2010). Rather, it seeks to engage with aspects of meaning, interpretation, worth and constraint for women participants, in being accorded a victim status, and to connect to the ways in which professionals assist and resist women's expression of self in the identification process.

## **4.2 Chapter Outline**

The imagery of a VOT will be addressed, first and foremost, as context for the official discourse on trafficking identity, and for a brief overview of its effects on women's capacity for agency in the identification process (4.3). The chapter will then engage directly with what trafficked women have to say, considering issues of self actualisation pertinent in self identification, and in women's complex sense of both their trafficked self and their pre-trafficking persona (4.4). Within this section, the focus group experience will be revisited for an added perspective on collective power and shared interest, in getting women's voices heard. Having already established the value of ethnic dress and cuisine in challenging a homogenising identity (3.5.3 and 3.6.1), the focus group will exhibit further example of this and the power in shared voice. The chapter will then explore the gains and losses contained in the victim narrative or 'trauma story' for a woman's retention of agency over her own identity (4.5). Finally, the chapter will end with a brief consideration of how professionals perform identity and justify formal decision making. This will bring into question the validity of women's formal identification as "a victim for the purposes of the Convention" (4.6). A summary of salient points will be presented at 4.7.

## **4.3 The imagery of a VOT: Considering the effects of media and campaign constructions on women's trafficking identity**

Aradau (2004:262) observes that the distinguishing mark of a trafficked woman is her "raw physical suffering". This is fixed in physical imagery depicting the trafficked woman as the "body in pain: pierced, bleeding and defenceless".

This imagery is widely perpetuated via the media in such films as *Taken* (2008) and *Lilya 4-ever* (2002), through television mini-series as in *Human Trafficking*



(2005), and in celebrity expos, for example, Emma Thompson's 'Journey' (2007) <sup>2</sup>. All are featured below in the order stated above.



Image 1: Internet image Taken (2008)

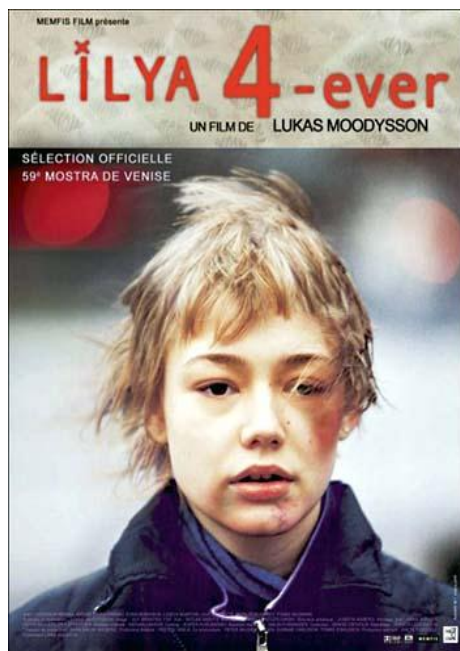


Image 2: Internet image Lilya 4-ever (2002)

---

<sup>2</sup> The 'Journey' is Elena's story of sexual exploitation. 'I am a sex slave' (first aired on Channel 4 on 30<sup>th</sup> August, 2010) dramatised the less sensationalist victim narrative of Maria's domestic exploitation.

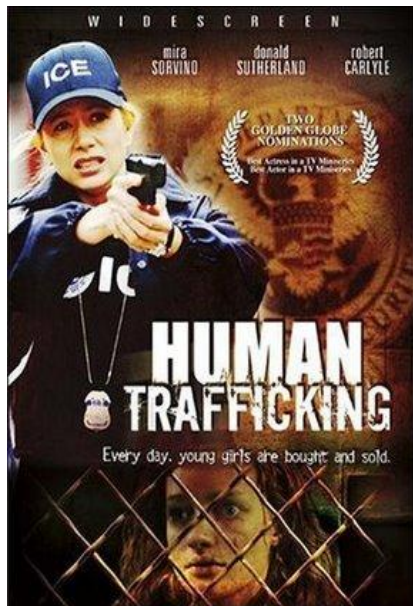


Image 3: Internet image Human Trafficking (2005)



Image 4: Internet image The Journey (2007)

Feminist scholars maintain that such a tragic victim embodiment further distinguishes trafficked women not only from men (typically viewed as agentic within global movements), but also from other migratory females, by naturalising trafficked women in a state of victimhood. As Aradau (2004:262) observes

“Where their trajectory might have coincided with that of a migrant or prostitute, suffering is redeeming. Trafficked women are disidentified from categories of migrants, criminals or prostitutes by the emphasis on raw physical suffering”.

Whilst Aradau critiques this imagery through the lens of pity, and women’s worthiness of human compassion, Doezenia (1998; 2000a) challenges the consequences of this powerless, broken and defeated portrayal of the trafficked

woman, for its binary construction of the VOT as some-one singularly 'pure' and 'deserving' of help, as compared to the exploited but universally 'guilty' and 'undeserving' sex worker (see also O'Connell Davidson, 2005) <sup>3</sup>. In tandem with Doezenia and O'Connell Davidson, other scholars and watch groups have expressed their own concerns with how professionals apply these constructs of 'deserving' and 'undeserving' victims to the process of identifying trafficked women (Kelly, 2002; 2005); in particular, their usage in vetting immigration status (Aronowitz, 2003; ATMG report, 2010). For Skeldon (2000), this gendered embodiment carries a further hidden consequence of negating any place for men in the trafficking discourse, since men are imagined as less susceptible than women to exploitation, and trafficking exploitations are routinely portrayed as the prostitution, sexual exploitation, and slavery-like practices in women and children <sup>4</sup>. This gendered lack of a male presence in trafficking is additionally fixed by men's reluctance to disclose instances of sexual assault within sex work (Connell and Hart, 2003) or to express their vulnerability within forced marriage (Samad, 2010).

The continued power and popularity of such imagery can be explained as residing in its clarity and ability to connect with unconditional public sympathy. These victims of trafficking are Christie's (1986) 'ideal' victims - women so vulnerable, blameless, unambiguous and uncomplicated as to embody their victim status. This ideal and abstract construction has been widely appropriated by anti-trafficking professionals and their respective organisations precisely for its grass roots profitability. Below are 2 exemplars of NGO advertising and awareness raising encountered on my visits to agencies. The first, widely circulated amongst health professionals, reproduces the populist perception of trafficking in adults - that of the female victim of sexual exploitation.

---

<sup>3</sup> The issue of purity is revisited within the broader discussion of whiteness, at the end of this section.

<sup>4</sup> For further discussion of the gendered nature of vulnerability and agency under a Human Trafficking framework, see also Berman (2003) and Agustin (2005a).



Image 5: Internet poster Look Beneath the Surface (2005)

The second was widely favoured by NGOs, for its fit with their sense of purpose in anti-trafficking work as a 'rescue industry' providing victim protection and assistance (Harrington, 2005; Agustin, 2007a). Agustin provides critique of this victim saving and rescue agenda because it homogenises migrant sex workers with trafficked women, and conflates sex work with involuntary prostitution. For Agustin (2003a; 2007a), not all movements involving sex are related to trafficking and can be traced to a combination of demand for sexual services and women's supply of services. A woman's involvement and response towards sex services is, in some measure, dependent upon her personal and sexual identity.

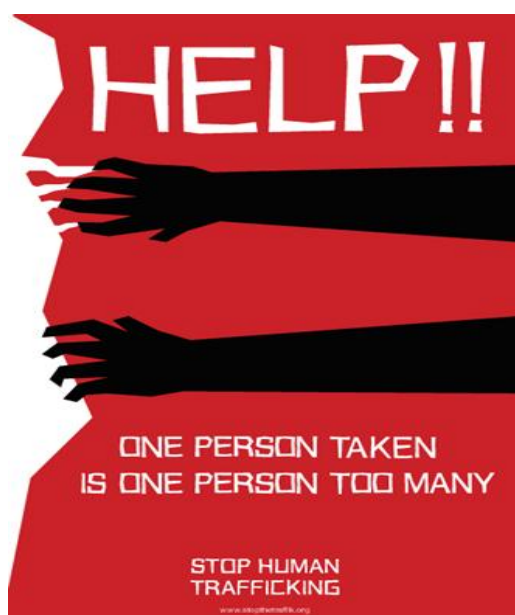


Image 6: Internet poster Stop the Traffik. Stop the Traffik poster campaign artist Alex Jenkins (2009)

In terms of understanding the significance of such imagery and its professional appropriation for the women subjects of trafficking, scholars also point to the loss of self actualisation inherent within the term 'victim'. Various and ideally imagined as weak, defenceless, blameless and innocent, a victim identity personifies the victim in qualities and characteristics which are intrinsically unagentic or action-less. In this respect, the VOT construct and maintenance as an 'ideal' victim - someone to be protected and saved from unscrupulous traffickers - has become a valuable commodity essential for maintaining the trafficking consensus but, also, beneficial for the gift-giving and sponsorship of agencies involved in rescuing VOTs.

Perhaps, more significantly for the UK discourse in trafficking, a criminal justice lens on what Miers (1978:15) describes as the historical and simple "doer - sufferer model of criminal interaction" has encouraged a parallel systemic preoccupation with the 'right sort of victim' (Jewkes, 2004). Within a trafficking frame of reference, these remain as innocent children and women lacking any knowledge, consent and agency in their own illegal movement and exploitation. However, in this criminal justice construction, agency is imagined as negative and, given the trafficking consensus over the ideal victim, resides wholly within the criminal actions of the traffickers. The police led Competent Authority sponsorship of the 'Blue Blindfold' anti-trafficking campaign, within a Crime Stoppers agenda, shows this passive victim / criminally agentic trafficker to good effect. The 'Don't Close Your Eyes to Human Trafficking' poster features a member of the public wearing a blue blindfold, symbolising her obliviousness to the crime of human trafficking. The poster delivers a message that the Police require members of the public to work with them in rescuing victims, who may be "reluctant" or too "frightened" to come forward themselves.



Image 7: 'Don't Close Your Eyes' Internet poster Blue Blindfold cafe poster (2007)

However, by encouraging the public to report their suspicions over trafficked women living in their communities to the authorities, the Criminal Justice System serves to identify and label women's knowledge and consent at any stage within the trafficking process as criminal. This reduction of women's varied trajectories within global movements (especially within the sex industry), to a singular narrative of victimisation, effectively reifies them further as passive victims and drives women's agency underground. As Mai (2009: n.p) argues,

"tackling demand as solely criminal creates a hostile environment for the trafficked, as well as the traffickers".

Systemic preoccupations with notions of purity, deservedness and the right sort of victim also reinforce an oppressive discourse of whiteness – reflected in the dominant white skin colour of the images featured above. Doezenia (2000a) traces the significance of this whiteness to the moral discourse of human trafficking, as the white slave trade in naive and virginal white women. McDowell (2009: 28) observes similar associations for innocence within the post war management of labour migration.

"Whiteness represents purity, spirit rather than body / embodiment and, as Dyer (1988: 45) has argued, white people are 'socialised to believe the fantasy that whiteness represents goodness and all that is benign and non- threatening' in comparison to the dark skin of 'others'".

In consequence, whiteness is constructed not only as non-threatening, but also as a medium of colonial superiority. Doezeema, (2005: 83) voices this as rescuing trafficked women from trafficking “foreigners with stereotyped racial characteristics”, and McDowell as championing poor and vulnerable European women, for post war domestic labour in the UK. Referring to the Baltic Cygnet scheme of 1946, McDowell (2009: 25) writes:

“It is interesting to contemplate the image that the recruiters assumed would be associated with this name - perhaps a vision of vulnerable yet attractive young swans, redolent of purity, sailing across the water to the UK and emerging from their drab protective colouring as cygnets into the full beauty of an adult swan under the guidance of the British state or public?”

On a final note, raising trafficking awareness through the medium of cartoons and celebrity promos, at comedy events such as the Edinburgh Fringe festival (Ferguson, 2010), has served to reinforce rather than dismantle such prejudicial and disadvantageous imagery. Introduced within human trafficking with the intention of extending identifications of trafficking to wider and younger audiences, the use of ‘artistic visuals’ is now a recognised and established tool for engaging with the hidden and complex nature of ‘difficult to tell’ narratives within sex work, asylum and refugee migrations and diasporas. See the work of Maggie O’ Neill with new arrivals in the East Midlands as a prime example of this (Guardian, 2009a; Whitworth Art Gallery, 2009; Arts, Migration and Diaspora Regional Network, 2009). In contrast to such works, the trafficking iconography sustains a discourse of disempowerment, through the way it portrays human dignity as loss, and self actualisation as absent, from the actions and decisions of the VOT. These disempowering narratives can be seen in the violence and total exploitation portrayed in the two cartoon extracts featured below. Circulated by the Council of Europe, as part of its ‘You’re not for sale’ campaign, they depict the stories of Talina and two sisters named Anna and Sofia. Stills, shown below, document two of the four ‘You’re not for sale’ trafficking cartoons featured in a campaign booklet commissioned by the Council of Europe to promote the 2005 Anti-Trafficking Convention. Amongst her observations of the cartoon imagery, Aradau (2010) critiques the new genre for reproducing old and risky ideologies of trafficking. Following the reductive



principle of pity observed by Aradau in trafficking as 'raw physical suffering', these cartoons are similarly reducible, in the stories of Talina, Anna and Sofia, to easy notions of sex slavery and violent organised crime. In this respect, Aradau suggests trafficking cartoons perpetuate a legacy of removing the possibility of agency from the actions of sex workers and other female migrants, thereby sustaining the trafficking victim narrative. The story of Talina is featured first, followed by narrative cartoon stills of the two sisters, Anna and Sofia (Council of Europe, n.d). All are trafficked for sexual exploitation <sup>5</sup>.

Image 8: Internet cartoon You're Not for Sale – Talina (n.d)

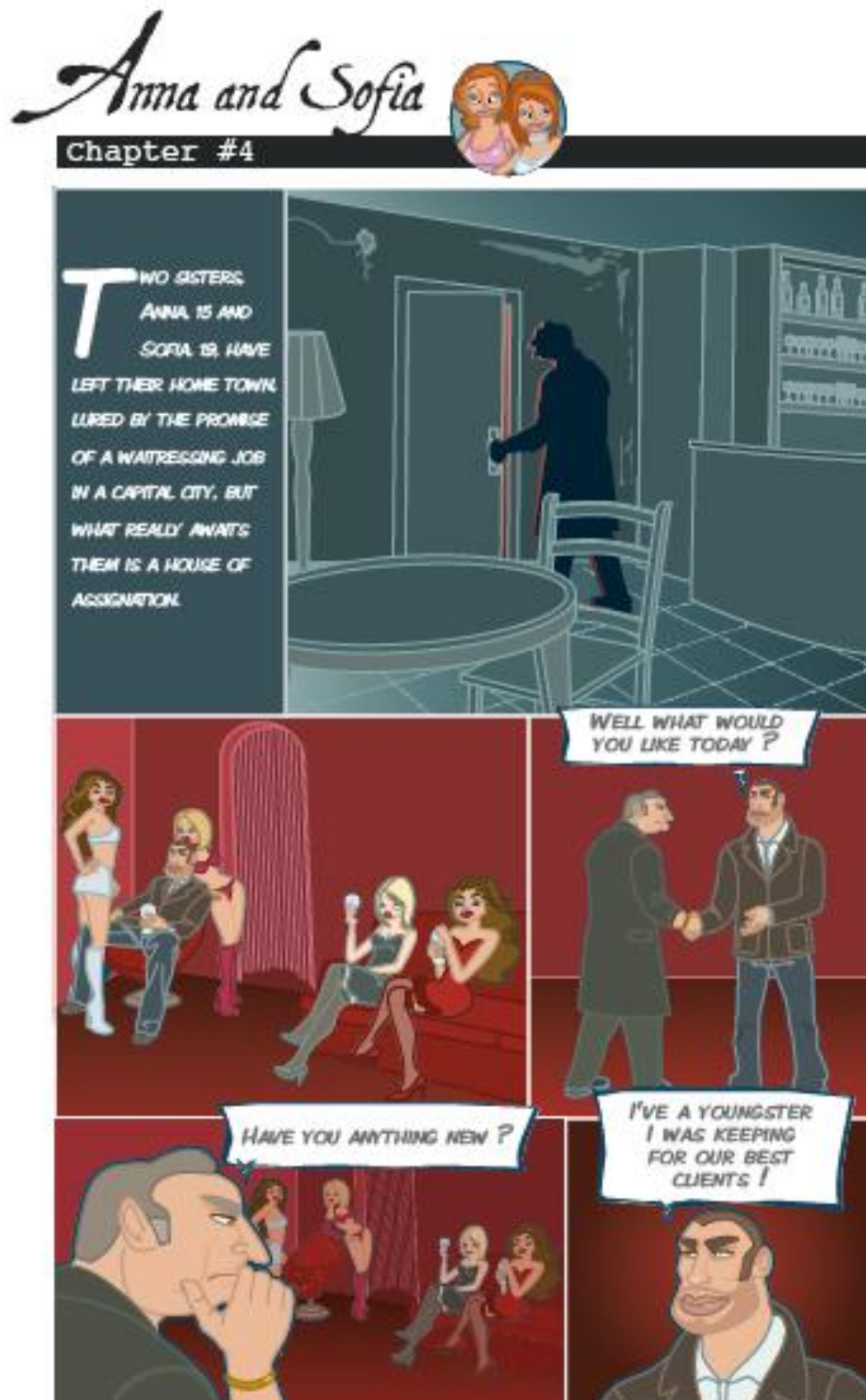


<sup>5</sup> The solitary cartoon featuring a female of colour (Fabia) deals with domestic exploitation, reinforcing the stereotype of whiteness and sexual innocence.





Image 9: Internet cartoon 'You're Not for Sale' – Anna and Sofia (n.d)







Against this media and campaign backdrop of the 'ideal' and 'right sort' of passive trafficking victim, how did my women participants identify themselves?

#### **4.4 Researching what trafficked women say about identity: Privileging their views on self identification for a sense of their trafficked selves (4.4.1) and their pre-trafficking personas (4.4.2)**

##### **4.4.1 *Women's sense of a trafficked self***

The women who took part in the research displayed a sense and appreciation of having been trafficked. As supported in literature, women have good reasons for not disclosing and maintaining silence around trafficking. Primary amongst these are mistrust of officials - based on country of origin experience of collusive police and border patrols - (House of Commons Home Affairs Committee, 2008-9:ev250; ATMG Report 2010), fear of traffickers harming loved ones back home (Dowling et al, 2007; Shelley, 2007; Goodey, 2008), risk to their own safety (IOM, 2003; Brennan, 2005) and experiences of misidentification and discrimination (ATMG Report, 2010). Within interview, women frequently expressed these recognised and well-rehearsed fears regarding disclosure to official representatives.

“When I was in Albania. I was in a hotel and watched by two men with kalashnikovs. At night, sometimes just to scare us, they are shooting into the air. Just to show us they are the mens, you know. They have the power, they are the Mafia, they can do whatever they want. Even the policemens come to join them, have a cup of tea. What can you do with that?...When I was here in this country, I was scared of policeman.” (Olimpiya)

When asked about the people involved in her movement, Sofia's case records state that she was very nervous, replying with

“I can't tell you that. I'm here and my family is back home. I haven't told the Police the names; I haven't told your government the names; I haven't told on the woman who gave me the passport... I can't say.....” (Sofia)

When asked about this entry, Sofia's case holder added,

“she smiled that knowing smile as if to say ‘if you've been to my country, [Moldova!']... she was fearful of reprisals”. (GEO 5)

In spite of such external barriers to a disclosure of trafficking, women referred to themselves throughout the research as 'victims' and, when asked directly if they had been trafficked, the majority said yes. I refer to this within the chapter as a sense of their trafficked self. Of significance, however, is the manner of their own identification, which connects more readily with identifying characteristics of trafficking than with the 'ideal' or 'right sort' of victim of trafficking, referred to in 4.3. Women used recognised and established signifiers or descriptors of trafficking to illustrate themselves as victims of trafficking. One of these identifying descriptors was the removal of papers and passports.

Zara, who was forcibly taken out of the UK to Pakistan, described her sense of trafficking self in this way:

"I had to stay there [Pakistan] and was told after about 3 to 4 months that if I didn't get married, I wouldn't be able to return to the UK. I had my passport taken away from me so I couldn't prove who I was... He knew from day one I didn't wanna marry him. Mmm, he knew that very well and I even spoke to him before, without anyone knowing, I said I don't want to marry you, please, you know, if anyone can stop it, at least maybe the guy has a say, the girl doesn't, no! But he wanted to come to the UK, didn't he, and I was his passport". (Zara)

Women's choice of descriptor in a self identification as trafficked appeared to reflect its impact and severity upon the woman.

"My mother-in-law just told me pack my luggage, go with them to the airport and when I came to Heathrow, my British husband and his brother and his sister came to meet me and when I got my bags I just get in car. My sister-in-law say where your passport? I was really shocked and I give it to her - I was thinking what happen to my mum and dad. When I arrived, my mother-in-law say same thing, where is your passport? You know, now I know, this is really important. At that time, I didn't realise how much, what it means to give over your passport... to give away who you are". (Davina)

With regard to the removal of papers and passports, participant stories appeared to support existing literature claims for its debilitating and

disorientating effect upon victims' identities (Shelley, 2007; Elliot, 2009; Trafficking toolkit, 2009). As Shelley (2007:131) describes it:

"Loss of identity is key to the dehumanisation of the victim. It also has very practical implication. If trafficking victims escape, they cannot even command the protection of their own country's embassy as they have no proof of their citizenship".

For other of the women participants, their sense of trafficked self took shape in an aspect of the process by which trafficking is defined –

"movement... by means of threat or use of force or other forms of coercion, of abduction, or fraud, of deception, of the abuse of power, or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person... for exploitation" (UN, 2000: Article 3).

Once again, women's choice of descriptor in the trafficking process reflected a woman's perceived level of trafficking injustice and harm. For Sofia, her signifier that she had become subject to trafficking lay in the manner of transactions and payments which led to her debt bondage into prostitution. Describing this via her interview with the case holder, Sofia explained:

"My friend had managed to get a passport and she introduced me to these people. It was explained that I would go to Brussels and meet a Lithuanian woman who would provide me with a passport. I had to pay so much up front for the passport - about 500.00 euro. I arrived in Brussels and my expectation was to have work in a hotel, where I would get a wage to send money [remittances] to my family back home. This [working abroad] was meant to be temporary... but from starting, across Europe, to arrival in the UK - it took almost a year! I hadn't the money to pay for this travel, my food or accommodation". (Sofia)

Ayse's and Tijana's sense of a trafficked self was grounded in their deception by others and voiced in the descriptor of false promises: for Ayse, around her transnational and servile married life in the UK and, for Tijana, as escape from a life of prostitution on the streets of Italy.

"I told him before marriage the kind of woman I am. I was honest and open with him. I can do this, this and this, but I can't do this, this and this. And I got my visa after 3 months and travelled here [to the UK] with my box [luggage]. I was worried at the time because I was alone. Your husband knows everywhere and everything and you don't know anything. It was bad from the beginning. I tried to excuse and keep waiting...but I don't know what he was like in his first marriage. He married a British woman and she left him for another man. I think I am paying the bill [the price] for that. I had a shock! No, no, no - he was not honest with me about how my marriage was like. When I show what he say and didn't do after marriage, he say he don't remember". (Ayse)

"I have explain before. Women take me from Nigeria to Italy, use me as a prostitute. Men beat me up, put me by a river. Went to hospital. I said don't want to do job again - Italian woman said gonna kill me. Said she would kill me as I don't want to make money for her. Told woman in hospital, from Germany, my problem. She is my friend. She promise to help me. She bought me ID card for reach London...I not use passport to get into UK...Plastic card [ID card] just a card...show to staff, take back from me (by German woman)." I told her Italy woman want to kill me even if I was in Nigeria. " I was scared to return Nigeria as Joy [Italian woman] would find me and kill me. I think she save my life but really she save me for her friends [the two 'receiving' individuals who involved Tijana in criminal activity]". (Extract from court testimony)

For others, this sense of a trafficked self assumed the embodiment of their exploitation. This featured strongly for a focus group member, who described her sense of trafficking in becoming 'prostitute', through a combination of debt bondage and trafficker violence.

However, one widely recognised descriptor of trafficking - that of the 'modern day' slave and the 'sex' slave (Bales, 2000; 2005; O'Connell Davidson, 2006) - was also widely used by the women. This suggests women were aware of media and campaign constructions surrounding the victims of trafficking. As Hitchcox (1993:157) observes for official perceptions of asylum seekers, naturalising any diverse social grouping to a category of persons with identical

problems and needs, serves as a “process of reification that is inclined to equate the individual with the state of being a refugee”. Applying this to a publicly played discourse of trafficking, state and media constructions have served to reify female VOTs in states of being the ‘modern’ or ‘sex slave’ (BBC News, 2007; Daily Mail, 2009). Neeta, Olimpiya, Davina, Zara and Survivor feature amongst participants who applied the language of slavery to themselves. As example, Neeta referred to herself as “modern slavery”, Olimpiya as “a victim of human slavery”, Davina and Zara referred to living and working in conditions akin to a “slave” (as in slavery-like practices of not being paid, restrictions imposed on movements, no voice in decision making) and Survivor used the term “prostitute slave”.

Slavery identifications carry dilemma for understanding and interpreting women’s meaning. Most obvious amongst them is that such representations, claimed on the part of trafficked women, can easily be seen as confirming the rhetoric of sex slavery. This rhetoric is affiliated with ‘New Slavery’ and the dark underbelly of globalisation which typically surfaces in human trafficking. As a criminal and unregulated activity, its victims lack any agency and all choices in what befalls them (Bales, 2000) <sup>6</sup>. On another level, these slavery-like identifications can be understood as displaying the intuit power and influence of reification, which lives on in media and tabloid reporting of the VOT as a sex slave. This homogenisation remains relatively unscathed in spite of evidential challenges. Central amongst them are comparisons drawn between Pentameter 2’s finding of “only 84” of MacShane’s acclaimed “25,000 sex slaves in the UK” <sup>7</sup> (O’Connell Davidson’s letter to the Guardian , 2007), and convictions of “just 5 men” following raids for sex slaves in 822 UK premises (Davies’ report for the Guardian, 2009b). On yet another level, slavery-like identifications have assumed a common parlance, being claimed by many a woman disgruntled with the inequitable distribution of house work and labour practices, or faced with unsolicited and unwelcome ‘bedroom’ demands from sexual partners. This particular portrayal connects with women’s continued burden under patriarchal and gendered relations of power, despite legislation upholding equal

---

<sup>6</sup> For a fuller critique of old as against new slavery, and comparisons of new slavery and wage slavery, see Bales (2000; 2008; 2009).

<sup>7</sup> When making this statement, Denis MacShane was occupying a seat as European Minister.



opportunities <sup>8</sup> and a gender equality duty (GED) (2007) <sup>9</sup>. Located within this interpretational minefield, participant women's use of slavery did not equate with a general dissatisfaction over women's lot in patriarchal societies, nor with demonstrating a good fit with official preoccupations over the 'ideal', 'right sort', or 'sex slave' victim. Women's usage of slavery can be traced to two alternate dynamics, which are now considered below.

Firstly, women's deeply moving and disturbing identifications with representations of slavery, proved helpful in conveying a sense of their trafficked selves to me during interview. This suggested itself in their use of descriptive phrases like "If I say to you that..." and "if I show myself as..." then I (the outsider within) would be able to understand their personal and often painful stories. In this respect, the language of slavery was used by women for making sense of what had happened to them, and conveying their subjective descent into trafficking to me. This is how Survivor expressed it:

"He was keeping me in a flat for sex, anytime he just wants me, he just come to me and give me those £40.00 and calling me a wife - that's not a wife! It's like he just want to sexually dominate me because he know my background and that I can never go back. I trusted him, to be with him, and when I tried to confront him he was so violent to me, insulting me. In the beginning, he used me as a prostitute slave in my home and my marriage, and soon he kept me for sell to his friends as a prostitute slave".  
(Survivor)

Secondly, many participants felt and described their slavery in relation to personal and unique pre-trafficking dreams, and not as relative to 'ideal' or 'right sort' of victim properties (as in raw physical suffering and human passivity), or slavery attributes of control for economic exploitation (Bales, 2000: 5-6). Although a majority of individual stories contained slavery indicators of control for economic gain, women voiced their slavery identifications in terms of pre-trafficking expectations, hopes and received promises. Neeta's perception of herself as a "modern slave" was grounded in educational aspirations, and

---

<sup>8</sup> Lead Acts include the Sex Discrimination Act 1975, 1986; the Employment Act 1989, and the Equality Act, 2006.

<sup>9</sup> The GED moves beyond an equal treatment of men and women and obliges public services to implement strategic measures.

measured against her personal pre-trafficking hopes and expectations of furthering herself and securing a better life for her family, through transnational marriage to an educated and Western male. Neeta, who was from India and held a PhD in organic chemistry, married an American citizen.

“I wanted to marry a professional who would give me a decent life, that’s all. My family, like his, has a sound background. His father was a highly posted engineer in Boeing - a very big company - and his mother, a child psychiatrist. All Western educated... I was told by my teachers that the biggest asset I could have in life was my education - it’s the real treasure. I thought I would never be poor or on the streets with it. I feel this asset has been snatched away from me. I feel this sense of loss for my identity. When a woman has no education, she is helped. But when a woman with education can’t make it, people think she is useless, a failure. I felt I am modern slavery, and my family ask me, Neeta, what did we not do?”  
(Neeta)

Survivor’s description of herself in the language and imagery of sexual slavery was fostered in relation to her aspirations for independence via a second marriage based on Western ideals of love and friendship. This had been promised to her by her trafficker (the man she referred to as her “second husband”).

“Reason for coming to this country was marriage and, as part of that marriage, I was promised my dreams would come true and I would have a good life and be safe... When we came, we were in a flat and he said to me, if anyone asks you, you say you are my wife. He didn’t give me my passport. He was keeping it. He said I have to hold it for you as I am now your guardian [responsible for you]. All these things, you know, if your husband tells you, you tend to believe them and you want to make life smoother and not harder for yourself. I trusted him then... It was like a bombshell in my face! They just come to you in the middle of the night. There is no life, no love. I have no opinion to speak. I would call it slavery in this life”. (Survivor)

Referring to the domestic work she performed in a sewing factory, Davina drew her comparison with slavery from a combination of her own voiced expectations

of working in the UK and promises of a better lifestyle, received from her new family.

“I speak to my mother-in-law and she say, ok, when you come over [to the UK], you can learn English, we can help you. My mother-in-law say, do you want to send money to your parents? [in the form of remittances to family back home in India]... They sent me to work in a factory for sewing, eight till six. My husband take me to the temple to learn English and, after 2 weeks, my mother-in-law stopped this. She said you make friends, blah, blah, blah! She said you have no time to do the housework after the factory. I lived to work (cries)...They treat me just like a slave. (Davina)

Returning to Hitchcox's (1993) process of reification in the management of perceived social problem groupings, women's self identifications did not reproduce popular and official conceptualisations of a VOT, as someone physically brutalised and passively acted upon. Additionally, women's sense of their trafficked selves as slaves, displayed little in common with Bales' representation of the 'new slave' as someone wholly subjugated and without choices. If anything, women's descriptions in becoming trafficked shared an affinity with Agustin's research on global migrations, in which choices can quickly go wrong for women and movements have the potential to separate from expectation and turn bad (2003b; 2005a; 2007a). Moreover, in self-determining the nature and parameters of their trafficking identities, women exhibited agency - as did women's voicing of personal aspirations in movement. Women's voicing of their personal aspirations and concerns for their own movements, brings challenge for easy or outsider reification of their individual identities in a fixed and externally applied category of VOT. In giving voice to the variables within a personal identification of trafficking, these women empower against falling into the reification trap of being only a victim of trafficking, and a passive, enslaved, and defeated VOT at that, "and little else" (Hitchcox, 1993:157).

#### ***4.4.2 Women's pre-trafficking persona***

Women with a trafficking experience face challenge to their personal identities on two fronts. Not only do women face being placed into the homogenised

grouping of a VOT, but they also share a position with other exiled groups, as in refugees and asylum seekers, of having to remodel themselves according to their new circumstances. Buijs (1993: 2) refers to this latter process as a “remaking of self” and this is considered at length in Chapter 6. In spite of the demands made on women’s identity and actions, from both the potential ascription of a VOT label and from migratory adjustments, research participants displayed a real and enduring sense of who they are - pre and outside of the trafficking experience. I refer to this throughout the chapter as a woman’s sense of her pre-trafficking persona. My collection of such personal identifications may well have been facilitated and skewed by interviewing women in recovery – Brennan’s ‘golden middle’ (2005: 38) - as opposed to women who were newly rescued or fully integrated within the host society <sup>10</sup>. However, the many and varied means by which participant women identified themselves, pre and outside of trafficking, exhibited more of an affinity with the empowerment and resistance narratives in migratory and development literature (Agustin, 2003a, 2005a, 2007b; Kempadoo et al, 2005; Kabeer, 2007; Hunt, 2008; Sandy, 2009), than with many policy and NGO identifications of trafficked women as victims (Dickson, 2004a, 2004b; Home Office, 2004b, 2006a; Zimmerman, 2006; Amnesty International, 2008a) <sup>11</sup>.

Observing for her own study with female asylum seekers and refugees living in the West Yorkshire area, Hunt (2008: 290) writes:

“The fact that the women in this study did not appear to identify themselves as ‘victims’ and often referred to their previous positions and occupations, illustrated their unwillingness to be categorised according to their legal status”.

Mirroring the experience of Hunt’s (2008) refugee women, some of the women participants described a pre-trafficking persona, in pre-exile identifications of the jobs they performed, their role responsibilities within and to their families, and their achievements. Principally, these achievements lay in their education,

---

<sup>10</sup> Brennan employed the phrase in describing methodological dilemmas with accessing ex-captives, following personal correspondence with its founder, the anthropologist Elzbieta Gozdzia, in 2004.

<sup>11</sup> Aradau (2003) lists a number of sites which typify trafficked women’s biographical traits as young, single, poor, abused and abandoned by dysfunctional families.

travel, and opportunities to experience life outside of local communities and countries of origin.

Sofia, for example, saw herself as a professional health worker, albeit one struggling to find opportunities of practicing radiography under Moldova's crumbling hospital infrastructure. Her case holder informed me in interview that:

"It took 5 years to gain this Diploma, which she got just as things started to break down in the Balkans. One of the hospitals in her capital city had just closed and was not taking any new trainees and the second closed down for lack of equipment. The door on her career was just about closed...she needed to invent herself as a radiographer elsewhere." (GEO 5)

Olimpiya described her life to me, before being trafficked, in the detail of her occupation as a bridal dress designer, and Ikra defined herself as a skilled labourer. Ikra's personal identification was one she continued to make for herself, both during her movement and after her classification by UK Immigration authorities, as a refugee.

"During my journey from Somalia to Nairobi, I was given work making mink blankets. This work is difficult to come by and do, and not everyone can do it, unlike factory or farm work....Now I work as a volunteer for [a named voluntary agency] which needs someone with my sort of skills". (Ikra)

For other of the women participants, who they are was fashioned in their pre-trafficking achievements, most commonly expressed in educational qualifications and travel abroad.

"I am highly educated. I am a person with three degrees - a bachelor of science (combined chemistry, botany, zoology), a master of science in physical chemistry, and a PhD in organic chemistry. So I started teaching in a school... I was very happy". (Neeta)

"We are all artists. Mother teach art to students preparing for University in Istanbul. One sister is a painter, another - an interior designer. I dance. My father always say, why nobody takes his side, as he is a musician!" (Ayse)

Further on in interview, Ayse added:

“I am a folk dancer in my country and was dancing professional for 8 years and with my folk dance company, we travelled most of my country during summer. Invited for dance festivals, we visited many other countries - it was very cultural life.” (Ayse)

Still other women drew meaning for their pre-trafficked personas from their role and responsibilities within the family. As Surtees (2003) and Bales (2003) note, many Asian cultures operate a gendered role expectation upon female children, to repay a debt of gratitude to mothers who have raised and educated them. Davina accepted this dutiful daughter identity as meaningful in explaining who she was in life and, as influential in her mother’s attempts to trade her for marriage and work abroad. Although motivated more from a sense of moral duty, rather than cultural practice, Sofia also identified herself in this way, particularly once her qualification as a radiographer positioned her as potentially the family’s strongest provider. Sofia’s custody records document her ownership of financial responsibility towards her family in this way:

“Her current stress is borne from a person wondering how she will be able to repay her family...The family struggled to put her through University, where she trained to be a radiographer. She now faces unemployment upon return [judge’s note: immediate deportation following expiration of custodial sentence], at a time when her mother is seriously ill with cancer.”  
(Extract from custody records)

Sofia’s situation is also helpful for understanding women’s holistic and complex appreciation of identity. In Sofia’s case, her pre-trafficking persona was expressed as a combination of three elements: professional health worker, dutiful daughter and primary provider. Likewise, Ikra’s sense of her pre-trafficked persona was defined by her abilities as a skilled labourer, but also through her relationship as mother to her three year old daughter. Olimpiya, too, defined her sense of self outside trafficking as a bridal designer and as the mother of three young children. This is not to suggest that all individuals with a trafficking experience escape a life lived out in victimhood. Where someone is trafficked from a very young age and many times over, there is little possibility of developing a sense of self outside of trafficking. This is relevant to Tijana’s story. As someone orphaned at age two, used as a child labourer to sell food on

street corners by age eight, trafficked to Italy for prostitution at thirteen and re trafficked to the UK in her early twenties, it is impossible to gain any impression of Tijana outside of a victim identity. Tijana's story corresponds closely to the extreme end of trafficking, rooted in victimisation and exploitation. This victim identity is further compounded by her disappearance from official view, once she was processed by the criminal justice and immigration authorities and placed in custody.

In stark contrast, nowhere was identity - as situated in the pre-trafficking persona - stronger and more transparent than in the focus group women. The focus group women maintained and communicated a keen sense of their pre-trafficking personas in two significant ways. One of these was through the preparation and production of ethnic dishes and cuisine documented in the focus group (3.5.3). The bringing of parathas (Indian flat bread), loubia (an Algerian bean and almond salad), bishbosa (a Sudanese semolina cake) and many more food items acted as a powerful and symbolic reminder of life back home (Lewis, 2007b). By keeping culinary cultural traditions alive in this way, the focus group women were able to sustain and nourish their own memories of a pre-trafficking persona. The other very tangible way of connecting to life outside of trafficking was through the focus group women's ethnic dress - saris (traditional Indian dress) and hijabs (a Muslim headscarf which covers the head and neck but leaves the face free). Such practices served to tie women to life pre-trafficking, and to ascribe it meaning drawn from cultural identity and traditions forged in their pre-trafficking memories and experiences. As Buijs (1993:3) observes for female migrants and exiles:

"It is the already lived that saves the living. If familiar places are sometimes able to leave us, they are also able to come back to our notice, and to our great comfort, to retake their original place". (Buijs' translation of Poulet, 1983: 163)

In her doctoral thesis interrogating the meaning of community for refugees dispersed across West Yorkshire, Lewis develops this re-creation of community away from home through the medium of food. Considering the meaning and power of food in constructing a safe and positive sense of community for

refugee persons positioned in foreign and often hostile territory, Lewis (2007b:119) writes:

“Sharing food was an area where community was constructed as practice - actualised in social relations rather than imagined. In comparison to the contested domain of RCO [Refugee Community Organisation] discourse, eating together was a practice where communality precluded contestation, adopting the ‘feel-good’ factor of community “.

I believe the focus group method, offering women greater ownership of the interview process, coupled with the aforementioned tangible and powerful factors of food and dress, forged the focus group into a safe communal space. As the outsider looking in, I feel it was this feeling of safety and of community which, above all else, empowered these women participants to share their histories and experiences with me, in ways which carried meaning and significance for them. Coming from this position of collective strength, the focus group women acted as supports and prompts for each other, encouraging the extent of their entrepreneurial abilities and talents to surface. This revealed women in pre-trafficking personas not typically shared by these women outside the safety of the focus group. Several women witnessed to being ‘grey market’ traders (someone on the fringes of illegal trading), others to being a sex worker, a self-taught midwife and a distiller of home-made spirits. In the shared safety of the focus group community, women were able to recall private and transgressive memories of their past and of home. In this uncontested domain away from external sanctions, women appeared freer and happier to define themselves outside of gendered and tradition-bound roles of dependency and respectability.

So why did women so readily express themselves through the victim narrative?

#### **4.5 Researching the place of a victim narrative in women’s stories of trafficking**

Kleinman and Kleinman (1997: 9-10) explain the effects that successful media and campaign constructions have upon policy issues they seek to expose and redress, in this way:



“When those whose suffering is appropriated by the media cross over to places of refuge and safety, they often must submit to yet another type of aggregation. Their memories (their intimately interior images) of violation are made over into *trauma stories*. These trauma stories then become the currency, the symbolic capital, with which they enter exchanges for physical resources and achieve the status of political refugee. Increasingly, those complicated stories, based in real events, yet reduced to a core cultural image of *victimization* (a postmodern hallmark), are used by health professionals to rewrite social experience in medical terms”. (Authors’ italics)

Applied to a trafficking context, women with trafficking experience possess their own personal trauma stories, often individually expressed in terms of loss, exploitation, violence, captivity and fear. These have been researched within the field work brief and are presented in chapter 5. However, persons who have been trafficked, as well as NGOs assisting them, both derive some benefits from being actors in a trauma story. Taylor (1999) attributes this benefit to the consumer potential in victims, having the power to be both patrons and producers of a host of victim services. Professionals recognised this for their work, often referring to their ‘business’ as a “stakeholder rich” (senior GEO 2) and “service intense” economy (NGO Project manager). Criminologists in fields other than trafficking have noted the broader gains, for female victims, from compliance with a victim identity (Williams, 2004; Davies, 2007). Included amongst these benefits are the advantages of sympathetic treatment, more lenient penalties, women orientated community programmes, and an approach to policy development which is gender friendly and ‘needs-led’.

For women with a trafficking experience, the Kleinmans’ trauma story converts into a “currency” qualifying her for favourable consideration to state controlled protection and trafficking assistance. As internationally prescribed and NRM regulated, these protections take three vital forms. Firstly, as a presumed trafficked person, victims of trafficking gain access to state supported specialist services for VOTs. At a minimum, these include access to safe accommodation, medical treatment and counselling, legal representation, an interpretation service and a basic standard of living (CoE, 2005:12.1). Secondly, it provides women with a minimum reflection period of 30 days and a 6 month temporary

residence order, raised by the UK Action Plan to 45 days and 12 months respectively for UK victims of trafficking (Home Office, 2009b: 20). Thirdly, under UK ratification of the Convention in December, 2008, women are given the safeguard that

“if the competent authorities have reasonable grounds to believe that a person has been a victim of trafficking in human beings, that person shall not be removed from its territory until the identification process as victim...has been completed by the competent authorities and shall likewise ensure that that person receives the assistance provided for in Article 12” (CoE, 2005: Article10.2).

In other words, whatever their immigration status at the point of discovery, women would be ensured protection against removal from the UK, pending a conclusive decision on their trafficking status <sup>12</sup>. In welcoming the introduction of the NRM, two senior GEOs involved in its implementation and one GEO responsible in its day to day running, independently voiced the hope that such protective measures would counter traffickers’ claims (as per Olimpiya’s interview) that rescue brings certain imprisonment and deportation.

“When I was here in this country, they [the traffickers] told me for three to five years, I would be in jail because I come here illegally. That’s what I knew. That people like me would get beaten up in jails and die”. (Olimpiya)

For the women involved in this study, the possession and retelling of a trauma story also presented a number of disadvantages for them, as individuals in control of their own experience and its meaning. Williams’ (2004) and Davies’ (2007:187) describe this in terms of a “double bind” (2007:187). In submitting to any formal process offering protection (whether pre or post introduction of the NRM), women give consent to external decision makers, who form opinions on the credibility of their stories, as well as their status as VOTs. As one NGO project manager explained it to me:

---

<sup>12</sup> For an evaluation of UK performance in the aforementioned areas of responsibility, see the Anti-Trafficking Monitoring Group Report (2010), which reviews success and shortfall in the UK’s delivery of protections for victims.

“When we first started off, it was our decision who we took and supported from referrals made directly to us...Our agenda reflected our experience of trafficking - that, in itself, limits the kind of input we can contribute to policy development... Now our funding is such that women have to become part of the NRM, if they want the chance to be supported by us as a key refuge service for trafficked women”. (NGO Project manager)

In interview, women raised a variety of ways in which their engagement with a trauma story, whilst affording some access to services, ensnared them in the negative feelings and controlling effects of being trafficked. Typically, women expressed this as trading the restraints of their traffickers for the restrictions imposed by authority figures responsible for decisions over their cases. This echoes the experience of dispersal found by refugee and asylum seeking women in the UK (Robinson, 2003; Hunt, 2008; Journeys and Justice, 2010) - although the precise nature of constraints differs according to the policies in place for the different groupings. Women’s views are once again privileged, and supported by anti-trafficking professionals for their complement of women’s standpoint.

A central and recurring theme for women centred on the consequence of a victim narrative to self determination. Many women felt that an organisation’s need to vet women’s stories for credibility came at the cost of their own right to self determine and give meaning to what had happened to them. Many of the women interviewed felt they couldn’t be themselves or properly tell their stories for fear of giving officials the wrong impression. Adjectives and phrases used by women to describe how they felt when interviewed by a range of gatekeepers (police, immigration, GP’s, health visitors, social services and solicitors) included feeling “scared”, “on my own”, “very lonely”, “my job to persuade them”, “people shouldn’t look down on me”, “not trusting what I tell them”, “not listening to me”, “they don’t believe you” and “betrayed by people who should be helping us”. This overwhelming sense of having to prove themselves, and constant fear of not being believed, was regarded as detrimental to women’s overall recovery and well-being agency.

From their respective fields of health and criminology, Kleinman and Kleinman (1997) and Davies (2007:187) warn of the risks in playing the victim card for

challenging “prescriptive notions” of a victim. Within my own trafficking research, Ikra based her preference for classification as smuggled, over trafficked, in the perception that smuggling offered her greater “freedom” over her own actions. Ikra’s story, profiled in 3.6.1, places her movement in a mixed population flow traversing trafficking and smuggling. Defined as the unlawful movement of persons across national borders for profit, Goodey (2008, 422-3) observes:

“In legal terms, smuggling becomes trafficking once a person who is being smuggled experiences exploitation at any point from recruitment through to arrival at their destination. Yet...legal distinctions between smuggling and trafficking are not so easy to apply in reality, as smugglers also exploit those who want to move from one country to another by, for example, charging exorbitant fees for their services”.

Although Ikra’s story (and definitional wriggle room) entitled her to an easy claim to VOT status, Ikra preferred the “freedom” on offer in being smuggled, to the offer of trafficking services and protections. Ikra regarded this as important, given all she had already lost of her own identity and old life in leaving Somalia - a factor widely recognised in the migration literature on exiled women (Eastmond, 1993; Tribe, 2002; Khan and Watson, 2005).

The importance women imbued to reclaiming control was complemented in NGO understanding of why some trafficked women refuse formal referral into the official identification process of the NRM.

“The impact of being a victim in the NRM is that, once more, women’s lives are again in someone else’s hands.” (NGO Project manager)

“There is a complex response from women to this whole idea of being identified as a victim. If you submit to the label you get services which go with the categorisation. But, we’ve seen survivors here who never want to talk about it again, want to move out in to the community and don’t want anything special or different to mainstream services. They just want to

control their own lives again. It's about letting women choose. That's what we try to do here. (NGO Support worker) <sup>13</sup>

Davies (2007) further cautions against public reliance on a victim narrative, for its capacity to reproduce gendered stereotypes and pre-existing expectations of the victim. Although Davies directs this warning towards women's own use of a victim narrative, it has poignancy for my research participants, in the way officials applied the narrative to their identifications of trafficked women. Olimpiya's first encounter with the UK police, provides example of how official expectations of a pure, innocent and Madonna-like VOT (compared with a guilty and undeserving voluntary sex worker: Doezema, 1998: 47), influenced her misidentification as a trafficked person. Reflecting back on her personal memory of this, Olimpiya adds the following valuable insight on her experience.

"They never asked me what I think! Only what they think! Eventually, they let me go. Told me to go to Home Office for asylum. Told me there was no reason to keep me. I think they saw me walk into the police station on my own, dressed for sex, and thought I was prostitute....I never made it to go [to the Home Office]. As soon as I leave police station, I was found by men and returned to my owner [trafficker]. The police knew nothing. (Olimpiya)

The risk of misidentification from this particular stereotypical and gendered expectation, particularly on women trafficked for sexual exploitation, is also recognised by anti-trafficking professionals.

"Referrers and receivers see a woman wearing a short skirt and low cut top and form an impression that she is not only on the game, but in the game - you know, complicit in what is happening to her. They should stop and think that maybe her traffickers have put her in those clothes for their own ends and profit". (GEO 4)

Kelly (2002), Bales (2003) and Brennan (2005) raise a further and specific danger for trafficked women in publicly voicing a victim narrative. This danger

---

<sup>13</sup> Brunovskis and Surtees (2007; 2010) provide an additional perspective on women's disengagement. They link women's refusal of victim assistance to the presence of positive family support and relationships.

arises from community misconceptions and conflation over sexual exploitation, sex work and prostitution. On the one hand, encouraging women's silence serves to exclude women from sharing their victimisation in the public domain, reproducing old patterns of keeping 'men's secrets' in domestic and sexual violence. On the other hand, opening women's sexual exploitation to public scrutiny may endanger their reputation and lives in cultures operating strict moral and sexual codes. Brennan suggests such dilemmas demarcate community as a contested space, producing responses according to the nature of a woman's migratory movement.

"Although similarities emerge between refugees and trafficked persons...groups often diverge on the issue of community support. Trauma counsellors who work with trafficked persons in the United States report that the larger community of immigrants where trafficked persons settle (usually composed of co-ethnics) often stigmatizes and rejects trafficked persons" (Brennan, 2005: 42-43).

Interestingly, participants' stories show both aspects of confirmation and challenge for a contested community. In interview, Olimpiya employed perhaps the largest variety of terms to describe her situation. Primary amongst these were "bondage", "debt bondage", being "bought and sold on" and a "victim of human slavery". Although Olimpiya's story presented a close fit with text book understandings of sex trafficking, and despite recognising her own experience as trafficking, Olimpiya chose not to identify herself in this way. I believe her preference and choice of other terms may have been connected to her first experience in a UK police station (raised above), and to the disadvantage she faced in carrying a label of trafficked for sexual exploitation from Ukrainian state officials. Olimpiya told me she feared that any connection with prostitution or sex work could harm her application to find and remove her children from state care back home.

Olimpiya's fears of community disapprobation were similarly echoed by other women trafficked for marriage. When Zara was placed in a safe house after escaping her forced marriage, Zara was ostracised from the supportive networks traditionally available to other Muslim women. Samad and Eade (2003) and Samad (2010) ascribe BME communities' suspicions of any outsider

interest in forced marriages (whether by government, media, organisations or research) to a number of factors. One of these is mistrust of cultural difference, which fosters racial and orientalist stereotypes of varied marriage practices as singularly forced. Another relates to the rise in Islamophobia, wherein negative cultural traditions, as in honour killings, are wrongly associated with the religious practice of Islam. A further important factor concerns the moral panic over forced marriage and transnational brides, as a way of facilitating the immigration of spouses into the UK. According to Samad and Eade (2003:100) the collective effect from factors such as these is “a legacy of suspicion”, wherein “relatively uninfluential” co-ethnic communities close ranks over topics they regard as delicate and sensitive.

Neeta's sense of exclusion was so strong, that she preferred to tough it out rather than return home to India, in defeat.

“I did not want to go back at that time, I must say. I didn't want to go back because I would have been stigmatised. People would know (I come from a big family. I have 25 cousins) and I am the only one divorced. And still my extended family doesn't know I'm divorced. It was a shame for me to go back. And my family were saying to me, you are bringing shame on us. We cannot tell people you are divorced”. (Neeta)

Several anti-trafficking professionals supported women's fears of a poor reception by co-ethnic communities, explaining the reasons for their rejection in the language of attracting “unwanted interference”, “bringing shame on communities” and “tarring everybody with the same brush”. The fear of community backlash was such that, in addition to operating a strict vetting process on all interpreters, several non governmental organisations refused to accommodate women's own choice of translator.

“Interpreters is a really difficult one and many agencies lack a budget for this. I used to ask women if there is an interpreter she really likes, but now I don't take this at face value. She may not have thought though what the consequences of that might be for people getting to her, by going through the community and putting pressure on the interpreter”. (NGO Information officer)

Other women, by comparison, had very positive things to say about their neighbours, both co-ethnic and indigenous of the local community. Davina, for example, had nothing but praise for her neighbour.

“When my daughter was 16 -17 month old, an Indian neighbour, she asked me if I was alright and she told me my mother-in-law planning to send me back to India and keep my daughter here. She said where your passport? I say I don’t have my passport. What about your visa. I say I don’t know anything about that. She said, then I could be sent back and my daughter kept here (Davina cries again). And this neighbour, she told me about place I could run away to. She told me they could help me”. (Davina)

“I waited for my son’s first birthday. Then an Indian woman who used to baby sit with me, took me in her car... We found a one bedroom bedsit with a shared bathroom and she helped me with everything, so I could move in”. (Focus group member)

“I was too scared to go to anyone for help. I was so scared. Then one of my [British] neighbours helped me, erm, she took me to a woman’s refuge....I was frightened to leave everything I knew behind, but I felt I needed to do this or my life would be ruined and that of my daughter”. (Focus group member)

“I’d be lying if I said I’d done it all on my own. My [British] neighbour and me, we become friends. I was very depressed at the time and she was a rock to me”. (Ikra)

These women’s testimonies profile the role carved for civil society in two of the Convention’s three anti-trafficking strategies – victim prevention and protection, and victim assistance. The third element of “effective investigation and prosecution” of traffickers (CoE, 2005:1), leads us to the final consideration of this chapter – professional application of the Convention in the formal identification process.



#### 4.6 Anti-trafficking professionals and the formal identification process

This section considers two aspects of this complex issue for their effects upon agency. One is the performance of identification: how professionals understood and applied victim status. The other, is how their understanding of victim served to resist and assist women's expressions of agency in the formal identification process.

In discussing the formal identification of women with anti-trafficking professionals, the phrase "victim for the purposes of the Convention" was frequently used by government enforcement officers - a finding also reported in the ATMG report, 2010: 39. Through its use, GEOs were voicing a recognition of the dual nature of their role toward human trafficking victims, which is to prevent and protect VOTs, but equally to prosecute the traffickers.

"My definition is akin to that of other staff in the Competent Authorities - that we're here to provide help as part of the European Convention and that's quite explicit really, to improve the services to victims and our ability to get the people actually involved in trafficking them". (senior GEO 2)

"The only way we are going to get it right for victims, is by ensuring the UK is a hostile environment for trafficking". (senior GEO 1)

Goodey (2005:74) refers to human trafficking victims under this criminal umbrella as "tools through which criminal justice agencies might be able to secure convictions of traffickers"<sup>14</sup>. Whilst there is robust argument for the validity of prosecuting traffickers in the fight against trafficking, the ATMG report (2010: 38-43) suggests official use of the phrase 'for the purposes of the Convention' is, in point of fact illegal, because anyone subject to the crime of trafficking becomes a victim under the Convention. In light of the complex and contested boundaries of trafficking and other 'irregular' migrations, Kelly (2007) believes victims would receive improved justice under a greater use of trafficking related offences, such as false imprisonment or rape, rather than trafficking charges per se. Lebov (2010:85) lends support to this from a Scottish perspective, suggesting the costly and labour intensive resourcing needed for good human trafficking surveillance prohibits police capacity for gathering

---

<sup>14</sup> For similar argument, see also Pearson (2002).

“actionable intelligence”. Given the research focus on agency, professionals’ use of this phrase carries additional gravitas for reproducing popular constructions of a VOT, addressed in 4.3. In order to be ‘fit for purpose’ within the criminal justice system, victims need to conform as closely as possible to the imagery of an ideal victim of trafficking. Consequently, women need to be recognised as vulnerable, passive, pure, defenceless, physically broken and inactive subjects in their own trafficking experience and ordeal.

“Obviously, you have to look at what’s happening in that person’s life - what the indicators are. You’re looking to any control measures being applied, is their movement restricted, whether exploitation has occurred in that process, duration of exploitation, any signs of physical abuse. Collectively, they form the facts for making that case”. (senior GEO 3)

This kind of professional vetting for the right sort of victim has been critiqued for introducing conditions that do not legally form any part of the Convention. The ATMG report and empirical findings would appear to offer substance for Kelly’s early suspicions over “how service providers and state agents define trafficking, and especially the extent to which they introduce additional requirements which do not appear in the protocol in order to construct a category of “deserving” victims...” (2005: 238.) For Goodey (2008), the litmus test of a truly victim orientated service lies in whether women can access trafficking services, irrespective of their intended or actual co-operation with state authorities. However, her position was not shared across the government enforcement officers who participated in this research. In response to the suggestion that victims might not be best served under a criminal framework, GEO 6 replied

“I disagree ! Why do I disagree? First of all, trafficking and the Convention. Trafficking is a crime. (GEO 6)

Their rejection of Goodey’s claim was, perhaps, most forcibly voiced by senior GEO 2 in this way:

“If you really have been trafficked, you’ve got information to give to the Police. If you’re going to act as a witness, brilliant, we want you to stay here and I make no apology for that, because part of the reason for all these [trafficking] arrangements is to increase the risk to traffickers. And

one way of doing that, is by securing cooperation from their victims. It's not just about prosecutions. It's also about securing the intelligence that improves our knowledge of what they're doing, so that we can disrupt their activity or prevent the activity. So it is useful to have that". (senior GEO 2)

Further and detailed consideration of how anti-trafficking professionals use their discretion to negatively influence decisions on identification are documented in the ATMG (2010) evaluation of UK victim services. Given the ATMG's lack of focus on any positive aspects of professional discretion, this chapter closes with a brief consideration of two ways in which participating professionals mediated the duality of a process, intended to both protect women and vet their potential in criminal justice proceedings. In her research on women asylum seekers and refugees, Hunt (2008: 290) "places all agents (asylum applicants, refugees and grass roots workers) as potentially having some independent effects" on the asylum process. Although this is easier to establish for NGOs, given their voluntary status, one of the ways in which participating government enforcement officers accomplished this, was through job crafting. Whilst GEOs recognised and condoned the intelligence and prosecution element of their trafficking brief, one means of restoring the balance in favour of protection was through the medium of multi agency working. This was widely viewed as a positive and essential aspect of sound trafficking policy and good practice. As reinforcement for this claim, extracts are provided from the same GEOs referred to above.

"It is important to recognise that some colleagues may have greater strengths in certain areas and may have received training, and good multi agency working is strategic - allowing fluidity and recognising flexibility is required to maximise the skills base on offer. It's about utilising our respective skills and maximising them in our particular business areas". (senior GEO 3)

"The CPS has also greatly improved on the ways in which women should give their evidence in Court and to the non punishment clause governing the content of their evidence. Women have a full say within the Victim Personal Statements they give and they're provided with support in doing this from the partnership agencies". (senior GEO 1)

“It’s been really interesting, really rewarding to engage with such a diverse field of people and use that sort of tension between those different views to help develop policy. That’s been a really positive thing...There was massive suspicion before. It’s frustrating that they [NGO groups] still criticise us, but it’s all part of that ‘good’ tension I referred to earlier on”.

(senior GEO 2)

A second way in which anti-trafficking professionals cushioned against the harsher realities of the formal system was by demonstrating respect for diversity. This was especially apt for professionals with a partnership remit. These professionals understood how a statutory need for rationing scarce resources detracted attention away from NGO preoccupations with the human face of suffering. Migration Partnership professionals presented a united front in engaging with aspects of cultural diversity, as an achievable way of conveying organisational respect and community support for trafficked individuals. Most commonly, this took the form of ethnic fundraisers - hosting musicians and dancers from a variety of ethnic backgrounds. Another means of conveying empathy with women’s experience of institutional oppression, was through food and public support of migrant businesses when supplying catering for a meeting or civic event. During one such partnership meeting, I accompanied a community leader to collect lunch from a Turkish café and, on a different civic occasion, witnessed the polski sklep (Polish shop) delivery of afternoon cake. These included babka (a type of fruit loaf), makowiec - poppy seed cake, piskota (cherry cake) and medovnic (honey cake). Whilst my initial reaction to such practices was one of an uncomfortable tokenism, partnership motivations offered a measure of reassurance. Partnership C explained his support of this practice as follows

“A Human Rights approach provides for the basics - safety, food and clothing - but food is more than mere survival. It’s about giving them their own values and traditions back, a sense of self worth and that person’s well-being.” (partnership C)

In his reasoning, Partnership C reflected similar issues of importance and significance to those of participating women.

#### **4.7 Chapter conclusions**

This chapter has addressed aspects pertinent for understanding women's lived experience of identity in a trafficking context. The chapter has shown how populist construction of the trafficking victim and NGO campaigns reinforce a singular victim perspective lacking agency. It has also demonstrated how a transnational crime framework moulds the expression of women's agency in negative properties of criminality and transgression. Against this dominant construction of a singular victim identity, the empirical research revealed how women, with trafficking experience, did not endorse singular definitions of themselves as VOTs. By engaging directly with what trafficked women say, the research portrayed how women retain a sense of their pre-trafficked selves, through a continued appreciation of the roles, jobs and achievements which define them in life. Also relevant to their pre-trafficking personas were women's ties to the cuisine and dress of home. Together, these factors facilitated an overall feeling of well-being.

As the women's stories showed, participants self-identified as trafficked by choosing either a recognised trafficking descriptor, or an aspect of the process defining trafficking. This suggested that women were clearly aware of 'trafficking talk', as configured and rehearsed through the media, public and official discourses surrounding them. From listening to women, what became clear was the reason for this engagement. Women did not engage the 'talk' for its victim qualities, but rather because it proved helpful in making sense of, and explaining, their situation to other non trafficked persons such as myself. Women's selection of descriptor and process typically reflected a personal degree of trafficking injustice. Of significance here, is that both women's self-identification as trafficked and their pre-trafficking personas presented challenge to women's easy identification and reification as inactive subjects of trafficking. Women's self-determination over identity indicated agency, as did women's voicing of personal aspirations behind movement. The focus group provided an added and unexpected perspective on this challenge, by providing examples of women's lesser voiced and riskier decision taking in movement.

Of central interest to the thesis' gaze on relationality, is the fact that the women also regarded themselves as victims in this research, and ones who had

endured truly terrifying ordeals at that. To this end, the trauma story was also visited for its dual value and disadvantage for trafficked women. On the one hand, the trauma story has been shown as assisting women's access to state protection and services and, on the other, has been refused by women for replacing trafficking controls with official reification in the state of VOT. Additionally, the dual nature of the victim narrative has been viewed through the role played by community in women's stories.

Finally, official definition of women's status as a "victim for the purposes of the Convention" was briefly explored for its impact upon agency in identity. The empirical research closely reflected extant literature, over official preoccupations with finding the right sort of passive and worthy trafficking victim. In contrast with existing evaluations, the research also looked for and found ways in which professional discretion was used to promote women's well-being freedom. This was principally achieved via collaborative working practices bringing alternative expertise, by respecting ties to home (as in supporting the cuisines of migrant businesses), and through supporting the diversity marking women and their varied cultural heritages (as in hiring ethnic musicians and dancers for civic events). Having explored aspects of agency in women's sense of identity, the next chapter proceeds to examine questions of agency in the decision making and events forming trafficking experience.

## **CHAPTER 5: RESEARCHING TRAFFICKING EXPERIENCE WITH TRAFFICKED WOMEN**

### **5.1 Introduction**

This chapter is the second of three findings chapters. Once again, it is empirically led and considered against the legal and policy backdrop of trafficking policy, as well as the plethora of available literature on trafficking. It provides insights into how a trafficking experience is viewed by the women subjects of trafficking. Consequently, it contributes knowledge and, therefore, challenges how UK trafficking experience is currently comprehended by outsiders reliant on media and policy perspectives of a single victim discourse (Sanders et al, 2009: 162).

Having interrogated how women perceive their own identity (both trafficked and pre-trafficking) - as challenge to the single victim narrative in human trafficking - this chapter builds on the foundations of identification and recognition (raised in chapter 4) to question how women's lived experiences can best be interpreted and understood. As previously stated, the official parameters determining women's stories as trafficked are those contained in the international definition of trafficking given in Article 3(a) of the Trafficking Protocol. The Protocol defines trafficking as movement involving force or deception, to gain the consent of another person, for the purpose of exploiting them. Consequently, issues of consent, coercion and exploitation have come to be regarded as the building blocks and benchmarks in discursive assessments over the nature and quality of whose and what experience qualifies as trafficking. This chapter engages with some of the complexities posed to these assessment criteria, not only from ambiguous lived experience, but also from women's stories exhibiting a good fit with the internationally agreed markers of trafficking.

### **5.2 Chapter Outline**

First and foremost, the demand-supply / push-pull factors of trafficking will be addressed, as the context for understanding women's movements in an increasingly globalised world. Increasing recognition by scholars, that trafficking stories can also be stories of migration, locates this chapter firmly within Lindstrom's (2007) migration-crime-security nexus (5.3). The chapter proceeds to engage with the definitional signifiers of experience - consent, coercion and exploitation – privileged as the building blocks for comprehending trafficking

experience. By engaging with some of the definitional complexities within each of these three concepts, this section will show how a trafficking discourse of easy and oppositional duals has been sustained (5.4). Women's personal stories of subjective experience around consent, coercion and exploitation, will then be presented and explored for aspects of victimhood and indicators of agency. The value of women's experience centrally connects with the thesis' interest (chapter 2) in feminist and migratory research calls for truer and more complex accounting of women's decision making, risk taking and agency within situations of trafficking. These truer or 'truth' narratives, embracing constraint and opportunity, will be shown as providing contrast to the trauma story (4.5), and as lending support both for a migration-crime-security nexus in trafficking and for applying a relational lens on victimhood and agency (5.5). Given the overall focus on comprehending trafficking experience, strong empirical links will be drawn throughout the chapter, to actors' capacities for accommodating agency in women's lived experience. Since chapter 4 closed with positive professional effects, this chapter tackles many of the negative effects compounding misdiagnosis and the withholding of rights and benefits. A summary of the salient points will be provided in the chapter conclusions at (5.6).

### **5.3 Why do women place themselves at risk of being trafficked? Examining the socio-political and economic context of trafficking**

Overwhelmingly, scholars advance the political economy of human trafficking as a solid platform for comprehending the attraction and necessity of many contemporary global movements undertaken by women. Of course men also move, but the visibly gendered nature of migratory flows has called attention to what has been variously voiced as a "feminisation of poverty" by Pickup within Russia (1998: 999), as a "feminisation of unemployment" by Kelly and Regan across Central and Eastern Europe (2000: 5), as a globally broad "feminisation of migration" by Franko Aas (2007: 41) and, perhaps most starkly of all by Sassen, in terms of a "feminisation of survival" throughout the developing world (2003: 265). Wheaton et al (2010: 116) define this global economic market as a forum for exchange, in which traders buying products create a "demand" in the market and sellers, either directly or through agents, "supply" the products, services, skills and workers to fill the gap. In determining how much and what



kind of labour to supply, a woman balances dynamics both pushing and pulling her towards consideration of foreign economies, jobs, locations, and life opportunities outside of the immediate and familiar.

Within the literature, both on migration and human trafficking, there is broad consensus to be found over what constitutes a push and pull factor, although these can be variously interpreted and weighted dependent upon a woman's specific situation. Amongst the push factors driving women to leave, scholars deploy generic classifications of economic difficulty and debt (Viuhko, 2010; Wheaton et al, 2010), gender based unemployment (Kofman, 1999; Kligman and Limoncelli, 2005), patriarchal oppression and gendered violence (Demleitner, 2001; Bales, 2003; Bastia, 2005; Parmentier, 2010), and war (Human Rights Watch, 2002; Harrington, 2005; Kligman and Limoncelli, 2005, Ejalu, 2006). Featured amongst the pull factors enticing women to move, scholars privilege the advantages of globalisation and their rosy portrayal of life in the West (Viuhko, 2010). These attractions are configured around differentials in income between developed and developing countries (Bales, 2000), improved opportunities for education (Agustin, 2005a), the trappings of a Western marriage (Barry, 2010), attractions of a consumer lifestyle (Skilbrei and Polyakova, 2006), relaxed social and religious mores (Agustin, 2003a; 2005a), possibilities for independence (Sassen, 2003), and travel and adventure communicated by the globalised media (Agustin, 2005a; 2006a). In listing the predominant push-pull factors, it is imperative to recognise their interactive qualities. Ehrenreich and Hochschild (2003:18) refer to this dynamic in terms of a "material striptease" and Franko Aas (2007: 40) provides an example, in the context of Bales' (2003) study of Thai migration. Using the pattern of migration from the rural north to a more affluent south, this migratory flow originated from poverty and cultural expectation that daughters repay their mothers for their upbringing. Commenting on the effects of globalisation, Bales reports how the enticements of luxury consumer goods (as in televisions and DVDs), pushes less poor families to also sell their daughters into sexual enslavement in the richer households of the South.

The centrality of this push / pull dynamic in movement has informed a growing body of literature, particularly amongst feminist migration and criminology scholars, interested in the complexity and irregularity of women's movements in

the contemporary global world. Knowledge that trafficking activity follows migratory flows of socio-economic and political push and pull factors (Salt and Stein, 1997 <sup>1</sup>; IOM, 2001; Anti-Slavery International, 2003) has fashioned a nexus between the two approaches of law enforcement and migration. Framed by Lindstrom (2007) as the migration-crime-security nexus, this connection constitutes the “backbone of EU responses to trafficking” (Goodey, 2008: 431)<sup>2</sup>. The value of adopting a migration-trafficking frame of reference lies in the deconstruction of easy duals. As raised in Chapter 2, contested platforms for understanding trafficking, particularly relating to sexual exploitation, has constructed a set of binaries between trafficking and facilitated migration, forced and free prostitution, servile or freely consenting brides, voluntarism or criminality and women as victims or agents in their own life stories. Where a trajectory exists, this oppositional thinking gives way to a more nuanced and relational understanding of experience <sup>3</sup>. As Berman (2010; 93) observes for the singular victim discourse

“The predominant narrative of trafficking obscures the degree to which trafficking stories are migration stories. Migration stories include the notion that migrants cross foreign borders sometimes legally (although possibly working without a work visa) and sometimes illegally for an economic purpose, to pursue a “migration project”. It is clear from their own stories that many women who enter the European Union (both with and without the necessary documents) to work informally or illegally (often in the sex industry) via trafficking networks are not simply victims: many are engaged in a migration project”.

Given the thesis’ lens on agency, one explanation of why women place themselves at risk from trafficking lies in the structural factors pushing women to leave home (internal migration) or country (transnational migration). The structural injustices to women’s agency freedom, frequently posed by gendered circumstances of high unemployment, poor standards of living, inadequate education and health provision and domestic or state sanctioned violence, can

---

<sup>1</sup> Salt and Stein (1997) also believe that as trafficking and migration share common routes, human trafficking will play an increasingly active rather than reactive role in determining the geography of human movement.

<sup>2</sup> The absence from UK policy of a migration-trafficking frame is appraised by Sanders et al (2009).

<sup>3</sup> A clear exception to this is raised by Bastia (2005), in the context of women and children who are abducted or kidnapped.

lead regular and “ordinary” migrants (Bastia, 2005: 69) to use the services of traffickers (Kempadoo, 1998a; Andrijasevic, 2003). Sofia used “agents”, strongly suspected by her case worker of being traffickers, to arrange her false documents and illegal passage out of Moldova for work in the European Union. Olimpiya initiated her movements for work, outside of Turkey, by paying a “work acquaintance” she barely knew to arrange travel and accommodation. When her acquaintance failed to show up for departure, Olimpiya decided to undertake the journey with a stranger. In interview, Olympia admitted this man could have been “anybody, even trafficker!” In this respect, Sofia and Olimpiya’s actions mirrored those of other migrant workers, said by Aronowitz (2003) to have limited involvement in planning their own moves, and by Andrijasevic (2003: 258) as “only able to realise their plans to leave” through the intermediary of an actual or potential trafficker. Both Sofia and Olimpiya’s risk of being trafficked stemmed from the chances they took in trying to realise their goals to fund a scheme or ‘project’ (Berman, 2010). In Sofia’s case, this was a two year project to work in Europe and pay for her mother’s medical treatment. In Olimpiya’s case, the project was to earn the capital to pay for an independent place to live, for herself and her children. With her husband in jail and unable to support them, Olimpiya and her children had been taken in by her sister-in-law.

If, as has been shown, regular migrants can make use of trafficking networks, then it follows from this that traffickers can also take advantage of ordinary migrations. As Bastia (2005: 69) observes for Bolivian migrants in Argentina,

“In fact, an ‘ordinary’ migration can turn into a case of trafficking if any of the issues associated with trafficking take place along the ‘trafficking chain’. The remainder of the ‘chain’ or process can, therefore, be exactly the same for ordinary migrants as for victims of trafficking”.

This interconnection provides another pathway for understanding why women become the subjects of a trafficking experience. Parmentier (2010: 99) offers Merton’s theory of anomie as one possible explanation under globalisation <sup>4</sup>. Parmentier observes how human aspiration for material wealth – a common denominator in migration and trafficking activity – operates as an attractive pull factor on both migrants and traffickers alike. Participants’ interviews evidenced

---

<sup>4</sup> For additional coverage of criminal theories, including an explanation of Merton’s theory of ‘anomie’, see Parmentier’s (2010) article.

support for this. In the focus group, the desire for a materially better and more comfortable life for themselves and their loved ones was volunteered as a primary reason for leaving home. This aspiration for a materially better life was also given by women in the semi structured interviews, although expressed in terms of social and educational capital, as well as Merton's economic wealth. As Parmentier notes, although traffickers differ from migrants, by pursuing their aspirations for material wealth via criminal and unethical means, they too desire the riches which trafficking brings. Although relatively little is known about the financial recompense of single agents, the wealth of operation heads has been given exposure. Sister Ping's trafficking and smuggling network was valued in the "tens of millions of dollars" bracket and reported in the New York Times to be in the same profit margin as a mid-sized drug cartel (Bernstein, 2006 cited in Shelley, 2007: 121). A second statistic of 7 million dollars is cited as the annual turn-over from 'White Lace', a prostitution / trafficking ring operating out of Los Angeles (Shelley, 2007: 121). Although, geographically, both examples are stateside, they are chosen as these heads of operation are both women <sup>5, 6, 7</sup>.

If we accept that trafficking mimics aspects of migration, as in a desire for material gain and similar routes and patterns of movement, then it could be said that migration fosters conditions conducive for traffickers to exploit. This is in no way intended to impart blame on any woman who finds herself trafficked. Rather, it offers another explanation for why women, who may have entered

---

<sup>5</sup> Sister Ping's real name is Cheng Chui Ping.

She was convicted in June 2005 before the United States District Court (New York), on counts of conspiracy to commit smuggling, kidnapping, trafficking, and money laundering. Sister Ping is currently serving 35- years in Danbury, Connecticut, and has a release date of 2030. (The Wall Street Journal, November 22<sup>nd</sup>, 2008, pW1)

<sup>6</sup> Rimma Fetissova, the ringleader of 'White Lace', had over 50 smuggled and trafficked women in her charge. She was convicted by a Los Angeles Superior Court on 8 counts: four of money laundering, and one count each of pimping, procuring, conspiracy to commit pimping and conspiracy to procure prostitutes. She was sentenced to 9 years imprisonment and ordered to pay \$250,000 in fines and \$10,000 in compensation. (Los Angeles County District Attorney's Office, Press Release, January 27<sup>th</sup>, 2004)



Image 10: Female Snakehead Sister Ping.  
Source: The Wall Street Journal, November 23<sup>rd</sup>, 2008, pW1.

<sup>7</sup> Rubicella Montero.

She is currently charged before Cook County Criminal Court, Chicago, with three counts of involuntary servitude, human trafficking and procuring. Although her profits are undetermined at this stage of prosecution, their alleged enormity is reflected in her bail tariff of \$400,000 dollars. (Chicago Tribune, November 24<sup>th</sup>, 2010).



Image 11: Female Trafficker Rubicella Montero.  
Source: Hoy –Spanish Language Newspaper owned by the Chicago Tribune Media Group, November 26<sup>th</sup>, 2010.

into initial arrangements with traffickers, and with a degree of agency and control, come to find themselves victims of trafficking somewhere along their journey. This is supported by women's testimonies voicing disbelief, not at agents' fees or the cost of documents per se, but at the unexpected level of manipulation exercised by these agents and the extent of exploitations they have 'bought' into <sup>8</sup>.

Such scholarly and predominantly feminist critiques provide the terrain for a more complex understanding of women's lived trafficking experience in the globalised world. The crime – migration – security nexus of trafficking revitalises the issue of agency for women who fall prey to traffickers or trafficking exploitations, by challenging the premise of women's decision making in migration as totally free and women's position in trafficking as completely forced. As Berman (2010:107) posits for qualitative research on women's contemporary experience,

“trafficking in women needs to be understood in relation not only to crime and trickery but also in relation to the changing nature of global movement, migration and labour markets”.

#### **5.4 So how are we to understand issues of consent, coercion and exploitation in a trafficking experience?**

Mythen (2007:466) observes of experience that

“Being or becoming a victim is not a neat or absolute journey. Acquiring the status of victim involves being party to a range of interactions and processes, including identification, labelling and recognition”.

The building blocks for recognising experience as trafficking derive from the definition of trafficking provided in the Protocol supplementing the UN (2000) Convention against Transnational Organised Crime. The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, locates consent, coercion and exploitation as central to any understanding of women's experience as trafficked. Although the International Community

---

<sup>8</sup> For accounts of exploitation in the performance of sex work see Kempadoo and Doezema (1998), Andrijasevic (2003), Aronowitz (2003); for other forms of labour see Anderson (2000; 2007), Anderson and O'Connell Davidson (2002), Anti-Slavery International (2003), Skrivankova (2010); and for bride trafficking and the plight of imported wives, see Wang and Chang (2002), Thai (2003), Dickson (2004a), Long (2004), Poppy (2009) and Barry (2010).

embraced the adoption of a common definition of trafficking (as movement involving force for exploitation), a major problematic survives in the lack of definitional clarity surrounding the relevant markers in comprehending an experience as trafficked.

The Protocol states that a woman's consent is "irrelevant" where any of the controls - ranging from force to abusing vulnerability – are present (UN, 2000: 3a). However, legislating for consent is complex within the discourse of women's movements. Munro (2006) privileges engagement with power and, specifically, differentials in power, as crucial to any allocation of consent across trafficking and smuggling activities. Citing her own and others' research, Munro (2006: 328) suggests the mere presence or absence of consent, for distinguishing contemporary movement as trafficked or smuggled, for example, has become too simplistic.

"Empirical work in this area indicates that the majority of those persons identified as having been brought illegally into a country to work in exploitative conditions have given their initial consent to this process".

Munro observes several complications for initial consent when viewed through the lens of power. One is women's inability to withdraw early consent at some later stage down the movement chain. How is a woman who becomes subject to psychological controls or bonded to debt, able to take back her agreement and seek assistance to move elsewhere? Another reservation for consent resides in the context in which it may be given (Bales, 2003; Munro, 2006; Truong, 2006). For example, how free is consent, when it is borne of circumstances such as poverty, a sense of filial duty, lack of material and social opportunities, or an escape from violence? A further consequence of power surrounds the meaning placed on consent by authority figures tasked with screening and protecting victims. As raised in the Anti-Trafficking Monitoring Group report (2010), the dual function of the National Referral Mechanism is to vet and protect potentially trafficked persons. In performing this dual role, women's experience is scrutinised and officially labelled in one of three ways; either as victimisation at the hands of their traffickers, as criminally agentic in their own predicament, or as party to an immigration breach. This lack of definitional clarity extends to exploitations classed as inherent in a trafficking experience. Provided in Article 3(a), the Protocol states

“Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

Yet, there is no internationally agreed definition of exploitation (O’Connell Davidson, 2006), and considerable latitude surrounding the boundaries of sexual exploitation. The dilemma of defining sexual exploitation in a trafficking context is perhaps best illustrated by the schism between prostitution and sex work. As Doezeema (2005) notes in the lead up to the UN (2000) Convention and its protocol on trafficking, feminists adopted opposing positions in relation to prostitution and sex work. As previously rehearsed - on the one hand, abolitionists (such as CATW) perceive the act of prostitution as inherently exploitative and, on the other, the International Human Rights Law Group (including GATW) recognises prostitution as sex work. Since no one consents to exploitation (Jeffries1997), CATW constructed a platform on which all prostitution (including migrations for sex work) was deemed forced and eligible for inclusion as trafficking; Conversely, the sex work caucus, concerned with challenging the working conditions of the sex trade, viewed the prostitution ‘contract’ as consensual and therefore outside the remit of a trafficking framework. This schism triggered a dualism within sexual exploitation, whereby the experience of women deprived of their consent achieved victimhood status, whilst the experience of women displaying consent did not. Whilst Chapter 2 addressed the forced / free schism for other socially constructed duals between innocent victims and guilty prostitutes, deserving ‘Madonnas’ and undeserving ‘whores’, passive third world women versus autonomous Western sex workers, it is raised again here as example of the definitional problems plaguing ‘exploitation’, particularly for sexual purposes. In other words, how are we to comprehend the trafficking experience of women who knew something but not everything about their situation? And, how should we comprehend the variation in experience, ranging from sexual servitude to Western tourism operating across the global sex industry? <sup>9</sup>

---

<sup>9</sup> For detailed commentary on this range, see Kempadoo, 1998a, 1998b; Kempadoo, 2001; Thorbek and Pattanaik, 2002; and Brennan, 2003.

Professionals' anti-trafficking understanding of the building blocks of experience is further mediated by the legal 'transnational organised crime' frame, which defines the criminal controls in trafficking as

“...the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (Article 3a).

But what qualifies for vulnerability or the abuse of power and where are thresholds on force and coercions drawn in complex and ambiguous situations involving aspects of consent and illegal status?

The Protocol's attachment to the UN (2000) Convention against Transnational Organised Crime, and its alignment with a second supplementary protocol against the Smuggling of Migrants by Land, Sea and Air (UN, 2000b), has allowed a criminal lens favouring border security and crime control, to overshadow other considerations in the movement chain. Under this criminal frame, the threshold of vulnerability is positioned against statutory responsibilities for “protecting” victims, by “preventing” the occurrence of crime and “prosecuting” the crimes (and criminals) in question (CoE, 2005: 4). This criminal framework has often worked against the interests of trafficked women caught in complex and ambiguous situations. For example, how are we to comprehend trafficked women who end up in the UK illegally, or assisted migrants arriving in the UK as ‘legal’ and quickly becoming ‘illegal’, where employment and marriages break down?

Documented research of these harms are provided by Anderson and O'Connell Davidson (2002), Doezema (2002), Adams (2003), Chapkis (2003), Bloch (2003), O'Connell Davidson (2010), Barry (2010) and the Anti-Trafficking Monitoring Group (2010). These emphasise the risk of detention and deportation faced by migrant sex workers and trafficked women possessing irregular or illegal immigration status. The ATMG additionally stress how official preoccupations with immigration and crime actively discourage women from raising their trafficking experience with officials, by endorsing traffickers' threats that discovery brings imprisonment and removal. The ATMG further found for professional misunderstanding and bias, in comprehending instances of



agency, consent and force in VOT behaviour, resulting in women's unfair exclusion from victim protection and services.

In performing this dual function of protecting VOTs by preventing and prosecuting acts of trafficking, the old 'doer-sufferer' threshold of forced victim or free agent remains an attractive option for making sense of unclear and contradictory cases. Victim experience – clothed in injustice and profiling the extent and severity of injuries – fares well under a threshold tasked with bringing traffickers to justice. Experience displaying signs of consent is problematic for crime and convictions, as consent equates with choice, autonomy, decision making and, hence, woman's responsibility over her situation. If women are to be kept safe from unintentional legal harms, then feminist calls for more nuanced and integrated understanding of policy is needed across the breadth of women's trafficking and migratory experiences (Kempadoo and Doezema, 1998; Doezema, 2002; Agustin, 2006a, 2007a; Berman, 2010).

Having acknowledged some of the definitional issues in policy deriving from the Protocol, the influence of external funding on women's subjective experience is also an important consideration. According to Agustin (2010:25), research funding into women's global movements remains heavily invested in the moral appeal of the victim story, especially where sex is involved.

"If the research proposal does not reflect one of the existing research frameworks regarding migrant prostitution – 'AIDS prevention, 'trafficking', or 'violence against women' – it will be hard if not impossible to find funding".

Agustin (2010:26) suggests that if women's stories could be differently researched, then

"quite a number of injustices, most of them structural, would be revealed, and researchers could be satisfied to have brought them out. But also the aspect of these women's lives that we never hear about would be brought out: their leading role in their own life stories, complete with making decisions about taking risks in order to get ahead in life – their agency".

Applying this to trafficking, as the world's third most profitable crime (Fichtelberg, 2008), the 'facts' of a trafficking experience tend to gather around

the immoral actions of the trafficker and women's victimisation at the hands of these criminals. Reflecting Agustin's claim that 'outsider' understanding of women's stories is constructed in the moral position of the researcher and funding body, women's trafficking experience is routinely fashioned in moral meaning as criminal victimhood. Research conducted into criminal practices, for example, forms one source for comprehending women's experience as victims of trafficking. Recruitment practices published in the Trafficking in Persons Report (US Department of State, 2008) singularly rehearse the deceptions and false promises made to women over marriage, work, education and other life advantages. These practices expose the debt bondage incurred and kept hidden from women, as agents arrange their journeys and work abroad (Viuhko, 2010). They typically engage with the language of imprisonment, abduction, kidnap and removal of papers, to highlight restrictions placed upon women's freedom. From this morally informed standpoint, the women subjects of trafficking can be little other than victims in and of trafficking.

The extensive interest in researching trafficking exploitation provides another route by which 'outsider' knowledge of women's trafficking experience is morally fashioned as victimhood. Trafficking exploitations are uniformly framed as overtly criminal actions, taking the form of rape, physical beatings, psychological threats of violence to families back home, and slavery-like practices of long hours, little food and no pay (Poppy Project, 2004; Anti-Slavery International, 2006; Zimmerman et al, 2006; Eaves, 2009). There is little public or policy call for less sensational and more controversial feminist inquiry, for example, into how exploitations might be differently experienced or actively managed by women. One of the first fieldwork conversations with a senior government enforcement officer illustrates this to good effect. When briefed on the intention to research agency within trafficking experience, he replied "there is no agency in trafficking!" As I continued to make a case for agency, by referencing women's survival strategies within domestic violence, he queried "You do know trafficking isn't the same as DV?" In a final effort to explain myself, he presented me with a copy of 'Stolen Smiles'<sup>10</sup> (Zimmerman et al, 2006) and suggested I "go away and read it" (senior GEO 1). During the course of the fieldwork, professional sensitivity to the idea of agency, led me to

---

<sup>10</sup> Stolen Smiles documents findings, funded by the European Commission's Daphne Programme, into the physical and psychological toll on women's health from trafficking.

research their opinions in more creative ways. One of these re-framings probed for their views on trafficked women, as experts in their own experience. Anti-trafficking professionals were asked for their views on involving formerly trafficked women in policy forums and in delivering professional training programmes.

Personnel in the Government Enforcement Sector tended to phrase their replies in one of two ways. Those opposed to any role for trafficked women saw women's inclusion as secondary exploitation. Those who agreed 'in principle', went on to qualify their agreement in some way, for example, by introducing limits or conditions to full involvement. The following two quotes from GEOs eloquently capture this:

"Yeah ! Why not? In principle, if there is a woman whose been formally trafficked, who was able to contribute, I'd welcome it in terms of either victim identification or victim care...I don't think I'd go as far as to suggest sharing in the decision making". (senior GEO 2)

"I think probably the way that help was provided would be to channel the contribution through an established victim organisation or a reputable NGO, such as Poppy. In the right circumstances, the UKHTC might also offer a potential home for a contribution like that." (GEO 6)

This qualified granting of an expert role to trafficked women, by officers within the GEO sector, was not widely shared amongst the NGOs and partnerships interviewed. These latter groups prioritised the benefits, to both women and support services, from 'real' and 'full' inclusion of women's voices and physical presence in the production and dissemination of knowledge. Their views are given in 6.5 and 6.6.

In bringing this research and policy critique to a close, O'Connell Davidson (2006:8) provides the final and alternate reading of the Trafficking Protocol.

"The Protocol definition of the term 'trafficking' does not describe a single, unitary act leading to one specific outcome, but rather refers to a *process* (recruitment, transportation and control) that can be organised in a variety of ways and involve a range of different actions and outcomes". (Author's italics)

Read as a 'package', room is created for accommodating the possibility of degrees around levels of consent, force and coercion, as well as shades of exploitation ranging from total to relatively minor abuses. Anderson (2007:11) conceptualises this definitional wriggle room in terms of a 'continuum of experience' – with people held at gunpoint at one end of this spectrum, with others receiving fair and equitable treatment at the other, and a range of experience sandwiched between the two. Agustin (2007b) provides further complementary argument across trafficking and migration, conceding the possibility both of a free and an enslaved person, but the probability of an individual somewhere in the middle.

Applying a more nuanced and integrated reading to both women's movement and to the definitional building blocks of trafficking, creates space for agency and for women's subjective and often contradictory experiences to emerge. Participant women's personal accounts of motivations and agency, as well as victim exploitations and injustices, are now presented below for their insights and contribution to comprehending a lived trafficking experience.

### **5.5 Women's stories of subjective trafficking experience – personal contributions around consent, controls, victim exploitations and injustices.**

Given the complexity of women's contemporary movements, women's subjective accounts reveal the ambiguities and mixed nature of many experiences and pose complications for recognition and comprehension by outsiders. In contrast to the trauma story, I refer to these as 'truth' stories, as they provide truer and more accurate accounts of women's lived experiences. Women's truth stories privilege the multiplicity of experience, highlighting the complex character of consent (5.5.1), the subtler forms of coercion (5.5.2), and how exploitation is differently experienced (5.5.3). Applying an agency lens to these three building blocks, aspects of women's agency are made visible.

#### **5.5.1 Consent**

Addressing issues of reification within the discourse on human experience, Ci (2005: 250) presents agency as an interpretation as opposed to a "brute fact" of human experience.

“This does not mean we can interpret our experience in terms of agency just as we please. On the contrary, such interpretation is subject to material and social conditions of possibility, for there are conditions under which it is relatively easy to interpret our experience in terms of agency and other conditions under which such interpretation is difficult or even impossible” (Ci, 2005:263).

Applying this to the push / pull factors in trafficking and to the building blocks of experience, women’s consent becomes capable of moving away from absolute and universal meaning, to embrace Agustin’s (2007b), Anderson’s (2007) and O’Connell Davidson’s (2006) continuum or shades of meaning. Within the empirical research, care was taken to ensure this gradation was not used to impute consent where a trafficked woman said none existed. As Hirschmann (2003:132) reminds us, “...it would serve no feminist purpose to declare women’s agency where in fact they have none...”. Consequently, interpretations for consent were ascribed only where women themselves raised aspects of choice, dilemma, risk taking and preferential thinking. Accordingly, Tijana (trafficked initially for sexual exploitation as a street worker and subsequently for criminal activity), and Zara (trafficked out of the UK for a forced marriage), provide clear examples of trafficking as totally lacking of consent. Following a review of Tijana’s case files, and dialogue with Zara, there were no discernible signs or expressions of consent. As Zara explained in interview, she did not consider the relationship to be one of marriage and withheld consent by refusing to say her wedding vows.

“No because I didn’t read my wedding vows at all. Obviously, I’m a Muslim and we do things quite differently, but you have to repeat after him - like you have the priest, we have the Imam - but I was just muttering gibberish under my breath, because I didn’t agree to the marriage and they knew very well. But I had to go along with it in order to come back to the UK, because no way am I going to live in the middle of nowhere. I never saw myself as a married woman. I knew I was part of a public marriage ceremony but, no! I didn’t make any wedding vows”. (Zara)

At the contrasting end of the continuum, Ikra, who began her journey as smuggled and who actively sold off her jewellery and other possessions to raise the required fees to leave East Africa, indicated her strong consent, albeit to a

perilous journey. Unlike Zara's interview or Tijana's case notes, Ikra voiced feelings of control amid a situation which lay outside of her making and beyond her powers to resolve.

"You're worried, not knowing when it's gonna happen, when are you gonna get papers, if you're gonna get papers, if you arrive at the border and get sent back, how are you gonna cope, it's all those things. So I said, look, I'm gonna carry on with my life, do whatever I can to make this happen and that's when I started feeling like I'm in charge". (Ikra)

However, between the two ends of the victim / agent spectrum, the remaining women exhibited consent and feelings of agency in partial, precarious, and sometimes contradictory ways. Sofia's subjective experience, as pieced together from her case notes, provides an example of woman's consent as initially given. Having paid an agent 500 euro at the outset, to facilitate her irregular and illegal migration out of Moldova to Central Europe for work, Sofia's pre-meditated thinking can be interpreted as an indicator of initial consent. Olimpiya, Neeta, Davina and Survivor also provide examples supporting a more expansive understanding of consent, as partially given. Neeta felt considerable family pressure to marry (and experienced some parental duplicity) but also voiced her initial willingness to enter into a relationship with her prospective husband.

"It is normal in my experience and community to meet the husband beforehand and to have options over marriage".

Question: Is that what happened?

"Well actually, he came two days before the marriage ceremony and a few things concerned me but [trails off]. I was twenty seven years old and for my family, it was a little bit late. They were getting panicked 'cos I come from a business family (we are middle class by UK standards but upper class by Indian standards), where even boys get married by the age of twenty six...But he was different and you know what it's like when something is different and you don't have it, it attracts you. I liked his different accent, the way he spoke, I liked the fact he was more aware of the world, his schooling was Western - he did his PhD from Berkeley, his sister studied medicine from Stanford, wow – I was impressed!" (Neeta)

Davina maintained a position of no consent to the marriage plans, with her refusal being voiced many times over to her mother, regarding the choice of husband. However, in interview, Davina voiced timid agreement to being imported as his wife in exchange for language classes.

“I asked my mum, if I can’t speak with him, I can’t get married with him and my mum say, if you not doing this thing [marriage], I [mother] am in trouble...So I speak to my mother-in-law, if he don’t speak Punjabi, I can’t speak English, and she say, ok, if you marry and come over, you can learn English, we can help you... I say ok, when I go there be his wife, I can learn to speak English. I am not educated. I want learn English”. (Davina)

Samad (2010) observes that one way of interpreting women’s agency in orchestrating situations of forced marriage, is to accept women can be both victims and perpetrators (as per Davina’s mother). In like fashion, the fact women can demonstrate initial or partial consent in a forced marriage should not preclude them from being victims and possessing a relative degree of personal agency (as in Davina’s circumstances).

Survivor recounted how her first marriage within her village in Gambia took place without her consent.

“You see in my tribe, at the age of fifteen, at menstruation, you have to get married to the husband they [the elders] choose for you. I was taken out of school and married to my first cousin and, after two years, he left me pregnant and went for foreign studies for Arabic in Morocco, ‘cos his father had a lot of cattles and pay for him to go and do more Arabic courses, and I was left in the house with the parents [his parents?] yes. Then I have his child. I run away from my village to the town. That’s where I met this man [her trafficker] ...” (Survivor)

In describing the context and circumstances of her second ‘marriage’, Survivor provided example of constrained choice.

“I could not go back because if my husband did not come back to take me [home], I would get another husband - one of his brothers, because I could not stay like that [married and alone]. I did not want that again in my life...When I was looking for a job as a house girl [house maid], I met him. My second ‘husband’ was very educated and he left Gambia to come here

[the UK]. I couldn't - he didn't have enough money – so I lived with my husband's brother in the town to begin with". (Survivor)

Munro (2006) observes how such emotional attachments to 'boyfriends' and 'husbands', offers considerable latitude to professional decision making around consent and vulnerability. Officials tasked with vetting a women's version of trafficking experience, often misinterpret the presence and effects of coercion, when packaged in expressions of love and affection.

Olimpiya's story sheds additional light on the complexities of experiences within trafficking. Olimpiya, categorically, did not give consent to being trafficked. She was recruited, deceived and duped for exploitation in the sex trade. However, having achieved some distance between herself and the ordeal, she ascribes elements of consent and choice towards risk taking and risk motivators. Olimpiya acknowledged these as operating both in her own story and in the narratives of other trafficked persons. These were framed positively by her in the language of opportunity and risk; seeing a chance to get rich and accepting a calculated risk to achieve this.

"One friend of mine, she went to Turkey and she come back and said to me it's like \$200 dollars a month. It's quite good 'cos in Ukraine, you don't have anything near to that. And I went to Turkey and was working in a leather factory and I earned \$200 dollars a month. Whilst I was working in this leather factory, I met one woman. She was from Moldova. She was working in Bosnia Herzegovina as a waitress. She was earning \$800 dollars and I thought wow! She said, what's the point of working in Turkey for so little money? She said you want to? And I said I want to. Of course ticket is quite expensive and you have to work there five to six months, erm...[pause]. She said are you coming with me? I said yeah, ok. The day that we were supposed to go, she said she had passport problems and I can't go with you. You need to go by yourself or you can travel with my boyfriend. I will tell someone to pick you up in Romania - so I said ok". (Olimpiya)

Olimpiya also gave voice to consent and choice, as residing in the less attractive traits influencing human aspirations for personal advancement - for example, as in taking up chances regardless of the cost to others. For Olimpiya, this unfolded in regret at leaving her sister-in-law to cope alone in raising



Olimpiya's three young children. Olimpiya's reflection on this is that she should have considered the emotional and psychological costs to her children and sister-in-law, alongside the material and social benefits derived from working abroad.

"Back home was old fashioned. I have career and future now, it's very different. I been in a couple of competitions and today I got some news - maybe gonna get full time jobs doing hair and make-up. I love creating bridal look. But my kids [pause]. I don't have my kids and I will never let them go again. My kids run away from home and were trying to find their mum. The Police found them and saw no father, no mother, no attorney letter for my sister-in-law and thought I had abandoned them. Because I didn't call in so many months, they put my kids in care. Then I was taken and couldn't call them". (Olimpiya)

The gendered criminal discourse shaping women's motivations, either as economic victims (Carlen, 1988) or as economic perpetrators (Davies, 2003a; 2003b), is pertinent to the victim blaming and victim saving responses confronting women. This easy divide reifies outsider interpretation of transgressive women as socially vulnerable and culturally victimised, or as tainted by more 'masculine' drivers of greed and profit. Consent to risk taking for economic advantage featured prominently in many of the women's subjective accounts of their trafficking experience. Neeta, Survivor, Davina and Ayse expressed this around perceived and received promises of a Western marriage delivering material, social and educational capital. Olimpiya and Sofia's stories highlight aspects of consent around arrangements for better paid work and job opportunities outside of home countries. Ikra's voice joined others within the focus group, citing their reasons for undertaking long and perilous journeys in aspirations of securing a safer and more comfortable future for themselves and their children. As one member of the focus group concluded, women's ownership of their choices and decisions is what matters.

"No matter what your reason - right or wrong; to be denied your experience – good or bad, is another way you can lose yourself. When they take your experience, you no longer exist". (Focus group member)

### **5.5.2 Coercion**

This section focuses on some of the women's counter narratives, as challenge to well-rehearsed coverage of trafficking controls as overtly criminal and often involving physical violence (Aradau, 2004; O'Connell Davidson, 2010). Zara's story reveals the exercise of trafficking coercion applied as love. Despite Zara's story exhibiting a good fit with the international markers of trafficking - movement lacking her consent and involving coercion, for the purposes of exploitation - Zara was not subjected to physical assault until after she was married. Whilst describing her trafficking journey to me, Zara expressed her own inner disbelief and confusion over what was happening to her. She attributes this to the nature of the controls applied on her.

"That was the worst day of my life! Do you know, at that time I had a boyfriend and I had to leave him and I'd just come home after ten days with him. I didn't want to get married and being told you will get married, whether you like it or not, that journey was the worst. I was crying. My brother was with me. Obviously, someone had to take me. I couldn't be left on my own 'cos I'd have run away. It was just heart breaking but, you know, I remember in the aeroplane, he gave me lots of encouragement and reassurance. He was doing this to me, but being a brother at the same time. He just hugged me and said you're just gonna have to do it!"  
(Zara)

As previously raised, the use of love, as a means for control, is not new to the arena of sexual exploitation. The children's organisation, Barnardo's, campaigned long and hard throughout the 1980's to persuade the police to caution and assist young women arrested for soliciting. Police routinely misinterpreted abuse and instigated criminal proceedings, when young women referred to pimps as their 'boyfriends' (Barnardo's, 1998). This misconception is now played out in failure to recognise friendship and relationship, as coercive controls deployed in adult female trafficking (Munro, 2006; Surtees, 2008), and in the internal trafficking of females between UK cities (CEOP, 2009; DCSF, 2009).

"CEOP [child exploitation and on line protection] tends to advise the UKHTC on young people trafficked into the UK from abroad and the UKHTC focuses on women, so we added a new thread to the picture. This

was something anecdotal and hidden and not recognised as a trafficking issue - only as a prostitution issue. So we went to different Police Forces and Local Safeguarding Boards raising this issue where groups of men were transporting females to other cities for the purpose of sexually exploiting them. But it's not as simple as just exploiting them in prostitution. It's about the process of 'grooming' - the nature of the deception is tailored to the subject and has to offer something that is needed. For girls, that's affection, fun, adventure, the status of being in a relationship with an older man." (GEO 4)

This tailoring of softer emotional duress (as opposed to trafficking threats of violence towards individuals and family members) is commonly enforced by female agents of trafficking for marriage, and is considered in chapter 7.

Another lived example of coercion took the shape of duty to one's family. This control was gendered in a variety of ways, for example, as influenced by cultural or religious commitments. Akhtar and Gilligan (2006) suggest cultural practices of *izzat* (honour / respect), *haya* (modesty) and *sharam* (shame / embarrassment) wield considerable external and internal controls upon women's behaviour. In continuing with her trafficking journey, Zara recounted having unwanted and "bizarre" feelings of self-consciousness, at her own resistance to being married off.

"I was thinking I'm on my journey over there, everyone knows I'm trying to run away from this, they're gonna be talking... There was the fact that my family are gonna hate me - my father was in Pakistan already at this time - thinking how am I gonna face him? And respect for the family is gone, you know, in their case. And in the middle of the worst day of my life, this is what I'm worrying about. Not being taken against my will, but what will people think of me and the way I've behaved". (Zara)

Zara's subjective story of trafficking complements Forced Marriage Unit findings for the coercive nature of women's embodiment in family honour (Home Office, 2000; Efemini, 2010). Zara felt this imposed duty to safeguard family honour was motivated by patriarchy and intended to control her sexual behaviour. Zara was in a relationship of her own choosing at the time she was flown to Pakistan. A recent study into marital practices within Asian communities in Northern England (Gangoli, Razak and McCarry, 2006) also raised the nature and extent

of this control. Findings revealed how community members falsely conflated religious and cultural observances in marriage, and used them as argument against cultural integration and community cohesion.

“Oh, yeah, it’s the culture not the religion!.. Marriage wasn’t the religion side of it, it was the culture - with parents having the power to say you should get married in the family and what the parents say goes”.  
(Zara)

In conducting a marriage analysis of Zara’s trafficking experience, it is imperative to avoid reducing complex situations to their simplest common denominator, especially since endogamy (the practice of marrying within one’s own social, racial, ethnic, class and religious grouping) informs marital selections in all communities across the world. However, the Office for National Statistics (cited in Samad, 2010: 192) confirms the practice of endogamy to be statistically higher within Pakistani and Bangladeshi communities, creating the demand / supply conditions conducive to trafficking exploitations.

In contrast to Zara’s exportation to Pakistan, Davina was trafficked from India and imported into the UK as a wife. Her import as a wife was also motivated by family duty, but in Davina’s case, responsibility fell to her in-laws, to secure an acceptable carer for their disabled son. Davina felt emotionally and psychologically deceived in this.

“They decide, but I ask my mother - I don’t like this man - my husband can’t speak, he is (points to mouth and ears and shakes head)”.

Question: Deaf and mute?

Nods in agreement. “They came to my house, they saw me and they decided this girl is ok. Why he didn’t speak? My mother-in-law mention he don’t know any Punjabi – only speak own language”. (Davina)

Davina was deceived over her standing as a wife and bought and sold to fulfil her family-in-laws duty of care to their disabled son. Dickson (2004: 34) highlights this pattern of marriage trafficking, as recognised by two of the leading London based NGOs against forced marriage – Ashiana and Southall Black Sisters (SBS).

“Both agencies were approached and asked about the possibility of trafficking for marriage, not to be confused or conflated with arranged

marriage. Both agencies described similar scenarios, of men with British citizenship travelling to the Indian sub-continent (India, Pakistan and Bangladesh were specifically mentioned) and returning with young women, forced into this situation by familial and social pressure”.

Khanum (2008) notes this practice as prevalent around imported wives to the UK, particularly where the marriage ceremony has taken place abroad. Khanum repositions force as psychological deception – covering fake or false representations typically over disability, criminal histories, and addictions to drink and drugs.

Zara, Davina and Survivor additionally felt victims of coercion, in the form of duty to alleviate family poverty. Although the push factor of poverty is challenged by knowledge that not all migrants are poor (Agustin, 2005a) and not all poor women migrate (Sassen, 1999), when asked the question of who profited from their transnational marriage or migration for work, these women linked family members to financial gains (Zara), the acquisition of land (Survivor) and unpaid carers (Davina).

“Yeah, the two families. Well, saying that, my family are quite well off you know. Dad was looking after everyone anyway, getting houses built. But it’s one less burden on his shoulders to have one of his brother’s children come here to the UK, and then he can start providing for his family, so dad won’t have to look after that side of the family any more. Basically, I was just a part of it, helping his poorer brothers and sisters out - not the daughter who had the choice about getting married, no!” (Zara)

“My father, he get honour from this [her first] marriage, giving his daughter to his brother’s son, or his sister’s son. The family is secure and the tradition of keeping land in the family continues. This way, the land is made safe”. (Survivor)

“My dad and his mum [Davina’s prospective mother-in-law]!.. I don’t know about my husband. I just met him seven days before marriage. I don’t think was wife he needed in his life”. [Indicating, with hindsight, his need of a full time carer] (Davina)

In many ways, these women’s trafficking examples mirror many of the coercive practices - particularly deception, and family / cultural duress – reported for

forced marriages by the Home Office (2000) and Forced Marriage Unit (n.d; 2009). Since the UK does not recognise marriage in a trafficking discourse, women's sexual and labour exploitation inside a transnational marriage does not count as trafficking experience. It is the difference in being forced to provide sexual services or forced labour, outside of the marriage, which serves as the distinctive trafficking marker in UK governance of trafficking <sup>11</sup>. Consequently, Davina and Survivor's stories constitute a better fit with trafficking awareness since they show a level of exploitation outside of marriage. Davina was escorted between home and a sewing factory for labour exploitation, on top of her sexual and domestic exploitation inside the marriage. Similarly, in addition to her sexual abuse within the 'marital' relationship, Survivor was pimped for prostitution outside of marriage and had been regularly moved across regions to avoid detection by suspicious neighbours. In contrast, Zara – who demonstrates a sound fit with the Trafficking Protocol and international treaties – was misidentified as a VOT by UK authorities because of the exclusion of marriage from a trafficking context. One NGO located the overarching difficulty of identifying women as trafficked for marriage, as residing in official prescription:

“There are five women that we know of that have come here from abroad for marriage, but who are sexually abused, in the sense that they are forced to sleep with other men. This is a real problem in working out eligibility for organisations working with trafficked women. The Police and Immigration missed so much of the trafficking experience out, because they were looking for someone who was brought in and sexually exploited, in a very particular way”. (NGO Information officer)

For Zara and these other five women, official prescription over the context of their exploitation, placed them outside of a trafficking frame. Unlike Survivor, none of these women were physically transported from their homes to perform sexual acts. Men, often known to the husband, visited the home. As a result, these transactions were regarded as coming under the umbrella of prostitution related crime. As these women fell outside the UK's official radar on trafficking,

---

<sup>11</sup> Trafficking for sexual exploitation was made a criminal offence under the Sexual Offences Act of 2003. Trafficking for labour exploitation was first introduced in the Asylum and Immigration Bill of 2003. However, forced marriage has not been made a criminal offence in the UK and marriage, in the context of trafficking, is not recognised in official trafficking discourse.

they were consequently denied access to their rights and entitlements, as trafficked persons.

Olimpiya also attributed misunderstandings over her trafficking status, to professional conflations and prejudice over prostitution. Given her relatively mature age, Olimpiya was finally sold off by her trafficker to a pimp. Olimpiya was used by this man for prostitution. However, when Olimpiya was rescued, she presented significant problems for professional recognition as a VOT, as she openly admitted to sleeping with her pimp. Although this was Olimpiya's way of surviving and taking back some control for herself, their disapproval engendered feelings of self-doubt and self-blame.

"It's very hard to explain how I felt, what I experience but I will try. I never smiled to the clients...I smiled with my pimp when we was having sex afterwards. I pretend with him that my life with him is somehow different. I think I should have known better than to say this. People tell you, you are this or that. They move to judge you – you are alcoholic, you are stripper, you are victim, you are not. The truth, they don't see it. They just don't!"  
(Olimpiya)

The UK lens on trafficking exploitations – defined as sexual or labour abuses which take place outside of marriage - conflicts with a tradition in UN Conventions and European treaties embracing the practice of trafficking for marriage<sup>12</sup>. This position actively discriminates against women trafficked into servile marriages, by serving to withhold their access to support and services reserved for officially recognised VOTs.

"I regularly meet with the senior government officers and I don't think they really understand the concept of what it is to be a victim, in gendered terms. I've heard them say she was only raped once, or she isn't trafficked because she was forced to have sex repeatedly, but it was only with the

---

<sup>12</sup> The UN lists servile marriage as a practice similar to slavery (UN, 1956: Article 1). The Special Rapporteur on Human Trafficking (UN General Assembly, 2007) endorsed forced marriage in the context of trafficking, i.e. where women are recruited, transported or received by means of coercion, deception or abuse of power, into slavery like conditions as a wife. The UNODC – the guardian of the Trafficking Protocol – accepts forced marriage as a case of trafficking where exploitation is accompanied by movement involving force (the three signifiers of trafficking in persons). The EUD (2011) explicitly endorses the inclusion of marriage within trafficking practices.

one guy. Because of factors like these, many trafficked women aren't referred on to Poppy for help". (NGO Programme co-ordinator)

Another difference between domestic governance and international convention concerns the introduction of a time frame in trafficking. This contradicts the rule of international law which states that anyone subject to the crime of trafficking is a victim, no matter how long ago it took place.

"[The 2005 Convention] states that those subject to the acts of trafficking are victims of trafficking. Anyone who has been trafficked regardless of...the fact that they have not been under the control of the trafficker when identified as a potential victim of trafficking, should be considered a victim of trafficking" (ATMG Report, 2010: 40).

Professional reaction to Olimpiya's situation, at the end of her trafficking ordeal, belittles the reality of clear and transparent trafficking crimes committed against her, and carried negative sway on decisions over her referral to trafficking services. As a trafficked person, Olimpiya was legally entitled to the range of available trafficking assistance (CoE, 2005: Articles 1e and 12.1e).

"Judgements over behaviour and motivations run the risk of women not receiving whatever help and services is on offer to them. For an honest exchange, you need to discover not only the here and now, but also how women reached here". (NGO1)

The Anti-Trafficking Monitoring Group report (2010: 29-43) documents additional findings of prejudicial and arbitrary decision making on the part of UK officials.

Employing an agency lens on experience, Neeta and Ayse reframed their duty to assist family in positive and symbiotic terms of improving both the family and their own wealth and status. This only added to the subsequent shock and disappointment on discovering that they, and their families, were in fact much worse off for their migrations.

"No one in my family was living abroad. We were all born and brought up in India and we did consider Westerners a bit superior, I must say that. Always a better quality of life, more jobs, big malls, big cars, nice roads...If I got married to this person I would struggle less to make a good life for myself, especially as I married late at twenty seven and didn't have my



son until five years later. Had he chosen to divorce me at that time, I would have had to go back as I didn't have status to stay. I did not want to go back at that time, I must say...my family were saying to me, you are bringing shame on us. We cannot tell people you are cleaning tables". (Neeta)

"He was always sending the money to his family and that's ok - they don't have a father. You need to look after them as well. But, they wanted everything and me and my family was the last in the family queue, not 2nd, not 5th but the last". (Ayse)

Women's agency often appeared in their acceptance of sacrifice and pain in building a better life for themselves and their families back home, and in their endurance in order to achieve this aspirational goal of a better life. In this respect, women's experience provided solid example supporting a relationship between victimisation and agency in trafficking experience.

"Maybe we can't control our circumstances – only responses. But our responses are ours". (Focus group member)

"I was beaten by my pimp because I never smile enough. I was sitting and reading book or magazine. That's how I was. If it was small money, I just don't care. But I did find the work very hard and did drink a lot to make myself aggressive. You have to find some way to rebel". (Olimpiya)

"I said goodbye more times than I like but that doesn't make me a victim. It's one more step to where I want to be". (Focus group member)

"I had a lot of pain and suffering in my life but that's not going to happen to my children, no matter what it takes from me". (Focus group member)

"I'm gonna survive 'cos of my kids. It's very hard if you don't have something to hold on to - that's the power. Getting them back and giving them chances you don't have - I felt in control". (Olimpiya)

### **5.5.3 Exploitation**

In drawing women's experience to a close, exploitation is the building block exhibiting closest fit between women's stories and official benchmarks in trafficking. With the exception of Neeta, Ikra, Sofia and Ayse, the five remaining individual participants, and a significant proportion of the focus group women,

shared experiences of physical violence. Amongst examples of Aradau's (2004: 262) 'raw physical suffering', women articulated being raped, sexually assaulted, hit and imprisoned – all of which constitute criminal acts irrespective of their context. Given the thesis' interest in insider knowledge, women were asked about what vexed them the most. This final section privileges their feelings and rationale around three of the most keenly voiced injustices. These are the removal of papers, a loss of autonomy (creating dependency) and threats to women's rights and capacities of motherhood.

Having papers taken away from women ranked as an extreme form of exploitation. The weighting and significance given to this injustice appeared to rest on the multiple ways this impacted on women's lives. As previously raised in 4.4.1, the removal of papers and passports had a debilitating and disorientating effect on women's identities. Davina felt a loss of self when handing over papers to her mother-in-law, compounding the alienation she felt in being in a strange country. Olimpiya described its meaning and enormity in the following way:

"I didn't realise I didn't have passport in my bag. She had to take it while I was sleeping. No documents is frightening. She had my passport. She had everything". (Olimpiya)

This loss of papers also had practical consequences. All of the women felt trapped in some way by the absence of documents. Neeta, Davina, Zara and Survivor felt stuck in abusive marriages. Sofia and Tijana felt trapped in exploitative working environments, performing sexual and criminal activities they never agreed to. Olimpiya, Ikra, Survivor, Sofia and Tijana – all of whom had entered the country illegally - feared being prosecuted, deported and re-trafficked by agents. Conversely, those women who welcomed a return back home (Ayse and Davina) felt exploited by their inability to take children, born in the UK, out of the country if they left.

The Immigration aspect of trafficking for marriage is perhaps the most contested issue within exploitation. Zara ascribed one reason for her trafficking ordeal as residing in her husband's need of her as "his passport" into the UK. Fears around such immigration abuses have led to tighter immigration controls around marriage, in the form of an age increase from eighteen to twenty one years. This rule applies both when sponsoring a partner to enter the UK for marriage

and to fiancées and spouses desiring entry in to the UK (Home Office, 2004d). However, such rules fail to address patriarchal power over a bride or a partner's immigration status, as experienced by many of the focus group members and individual participants. The National Coordinator for Anti-Trafficking Research and Policy at Eaves Housing released the following media statement:

"The problem is we sit here and we say these men use vulnerable immigration status as a threat and tell women, when they try to escape, all that will happen is they will be ignored and removed. They're not lying. That's the worst thing. The institutional response is such that...these are women, who are exploited in the UK, and it's the British Government who have failed to protect them from British citizens, by and large, who are harming them". (Stepnitz, aired 20.04.2010)<sup>13</sup>

The gist of her interview on bride trafficking was that men's power over the immigration status of their brides increases their risk of exploitation and abuse. The negative dimension of women's dependency upon men for their stay in a foreign country is also featured in the literature on refugees and asylum seekers (Buijs, 1993; Bloch, Galvin and Harrell-Bond, 2000).

This feeds into another keenly felt exploitation concerning women's loss of autonomy. This was also felt and expressed in a number of different ways. Primary amongst these was the level of dependency and degree of destitution women found themselves in, upon arrival in a foreign country.

"I thought he was able to look after me because my mother-in-law, she don't mention anything about him not speaking and he know I am here all alone...I got money cash in hand from the factory in an envelope and not allowed to open it. My mother-in-law took the money and I got nothing because I'm not allowed to go out anywhere, shopping, nothing (cries)". (Davina)

"[After the wedding] my parents left Pakistan and returned here to the UK but I had to stay there [Pakistan] another five or six months. Things didn't go well... I knew the language but not the people. We were brought up

---

<sup>13</sup> For further argument against tighter immigration controls in tackling forced marriages, see Hester, et al (2008). For further argument against tighter immigration controls in tackling human trafficking, see Macklin (2005), Berman (2010) and Parmentier (2010).

completely different. Like, for example, I never used to cover my head and there you have to cover your head all the time. I used to go out to work and get paid but (lowers voice) here, you have to do everything for your husband and not just look after him. I had to do it [fetch and carry] for everyone! I had nowhere to go, no money and no one to talk to...I was weeping with unhappiness. It was the worst thing that could have happened to me". (Zara)

Women's experience of destitution did not diminish with their escape from a trafficking situation. Women's experiences reproduced similar problems found for asylum seekers and refugees in the UK. Often, women had no recourse to public funding. This specific slogan was used by members of the focus group, during a protest march which took place the day after our group meeting. It also featured in the semi structured interviews.

"The Home Office took two years to process my application and I had no recourse to public funds. A charity took me to social services, who gave me some emergency money every week to look after myself and my daughter. I lived like this for two and a half years". (Davina)

"We need more women's organisations and charities because women need a lot of support when coming out of these difficult situations. We don't have recourse to public money. What are we supposed to live on and how do we feed our kids?" (Zara)

Whilst these women clearly depended on the compassion and generosity of charitable, voluntary and faith projects in meeting some very basic needs, the NGO sector viewed this as a double bind. Often networking amongst themselves to find a bed for a woman, these agencies felt their efforts hid the true shortage of resources from government <sup>14</sup>.

Amongst the women participants, a third significant exploitation concerned their loss of rights and the removal of their capacity to act, as mothers.

---

<sup>14</sup> Similar concerns are documented for support agencies working with asylum seekers and refugees. See Lewis (2007a), Brown (2008) and Lewis (2009a).

“For me, it’s not much physical, it’s mental - much worse. They are very clever at this. They know how to say, what to say, how to do. They threaten to your family and your children. She took photos of my children. She told me if I try to escape, she know the faces of my children. She mentioned there are many children taken. Mentally, she was very violent to me, making me feel it was gonna happen”. (Olimpiya)

“After five years, he told me he was going to invite his brother to bring our daughter and he would find us a house to live in. This made me forget about the fact I wanted to go to school because I was seeing my daughter for the first time in five years...Then my instinct just keep on telling me it will not be all right - he is lying... [Later] He told me your people will never take you back and I will take your children from you”. (Survivor)

As per destitution, this violation of motherhood adversely affected women’s mental well-being, often leading to suicidal thoughts and breakdowns (Lewis, 2007a).

Women’s voicing of non physical mediums of exploitation, and their significance as extreme injustices for these women, presented their own complications for outsider understanding of a VOT experience. On the one hand, accepting the “continuum concept” (Kelly, 2007: 88) that different types of trafficking exploitations (labour and sexual) merge, and that different degrees of exploitation exist in trafficking, improves the odds of prosecuting exploiters for their misdemeanours. As Kelly explains,

“Such synergies are likely to facilitate justice since in cases where the evidence may not support a trafficking charge, it might be adequate for other less complex offences”.

On the other hand, where resources are stretched, shades of exploitation can favour extreme forms of well-being harms, over less immediate rights and entitlements under agency freedom. This was recognised and raised by senior GEO 2.

“The way we’ve seen trafficking, and I guess exploitation more generally, is as a sort of spectrum. So at some point on that spectrum of harm, you can cross the boundary into trafficking. But actually, just over that

threshold, your needs as a victim may actually be pretty limited...Workers from Bulgaria and Romania...just about crossed the line into trafficking - were moved here by deception, was an element of coercion, and had been exploited. So, yes they were victims but, really, they didn't need any sort of medical counselling, there had been no physical damage, no sort of real mental trauma that anyone could discern. What they needed was help going home, or finding a job, or help coming to terms with the fact they'd had a nasty experience and they needed to get over it. I know sounds kind of harsh but...there's a lot of room for interpretation". (senior GEO 2)

The two case studies – Sofia and Tijana – provide the final comment, and raise an additional layer of exploitation faced by trafficked women who enter the UK Criminal Justice System. Both Sofia and Tijana served custodial sentences in the UK for having a false passport and remained in detention, post custody, awaiting decisions over their deportation status (3.6.1). As Bosworth (2007) observes, neither prisons nor detention centres provide for the particular needs of foreign nationals, compounding existing feelings of social isolation, mental illness, distress and detachment. Drawing on shortfalls raised in the Prison Inspectorate's thematic report on foreign nationals in prison, Bosworth (2007: 174) concludes that removal and incarceration centres, alike, serve to enforce "physical" and "symbolic exclusion zones" preventing access and integration with the host society. In this respect, both Tijana and Sofia faced additional exploitations to their well-being and agency freedoms – the focus of Chapter 6.

## **5.6 Chapter conclusions**

This chapter addressed how women's lived experiences of trafficking can best be interpreted and understood. It approached this by drawing on the push / pull and demand / supply factors, as context for understanding women's movements in an increasingly globalised world. Researching movement under a migration – crime – security nexus, women's stories demonstrated crossover between migration and trafficking pathways. Although women could not always be certain of the type of network on offer, their use of people and networks to facilitate their journeys, indicated a measure of agency in their choices of agents and networks to facilitate their journeys. Many focus group narratives,

and the stories of Olimpiya, Tijana, Sofia and Ikra, provided example of this crossover between trafficking and migration routes, services, and agents.

By also considering women's subjective experiences against the three building blocks of consent, coercion and exploitation, a lived and 'truer' picture emerged of women's role in their own lives. A central theme emerging from the empirical research was the challenge from women's stories to a singular victim discourse lacking in consent. Women's stories stretched from no consent (Zara and Tijana), through to varying degrees of agency in consent. Sometimes consent was initially given, other times it emerged as a constrained choice between two undesirable prospects and, for other women, it surfaced in a calculated risk to secure a better life and lifestyle for themselves and their dependants. A further counter narrative was found to official prescriptions on trafficking controls, as overtly criminal and physically violent. Women sustained 'softer' and harder to withstand coercions, applied as love, duty, and security (land). Although trafficking exploitations generated a strong case for well-being assistance (with women disclosing instances of rape, violence, and imprisonment), participants regarded their loss of agency freedoms over identity, autonomy, financial independence, and rights to motherhood and mothering, as the severest forms of exploitation. In terms of the relationship between agency and victimhood, stories supported agency as relative to a trafficked or migrant woman's capacity for personal decision making.

Finally, the professional perspective added example and illustration of how official prescriptions surrounding the benchmarks of consent, coercion, and exploitation, restricted space for accommodating women's agency. The empirical professional findings indicated that variations from official prescription proved counterproductive, for women competing for the same scarce resources and benefits. In addition to this, the restrictive domestic dialogue - discounting marriage in trafficking and only acknowledging sexual and labour exploitations outside this unit, seriously disadvantaged women imported into a servile marriage. On a closing note, the single victim narrative in trafficking was also traced as influencing professional responses to well-being over women's needs for agency freedom. Chapter 6 will now evaluate women's ability to create and claim well-being and agency freedoms in the 'golden middle' of a trafficking experience.

## **CHAPTER 6: RESEARCHING WOMEN'S AGENCY: "WOMEN CAN BE VICTIMS BUT ARE ALWAYS THEIR OWN RESCUERS" (NGO INFORMATION OFFICER)**

### **6.1 Introduction**

This chapter is the third findings chapter and focuses on the topic of women's agency. Given the nature of trafficking activity, women's agency within a trafficking experience is unavoidably located in a context of exploitation and gendered oppression. In the search for a theoretical approach which lends itself to such analysis, feminist re-workings on the coexistence and relationship across victimhood and agency have been applied within the different aspects of a trafficking situation – identity (chapter 4) and experience (chapter 5). This will now be applied to a discourse on agency, as it allows for the existence and expression of agency, even within precarious and complex situations. Sen's (1999) definitional framework for understanding agency has been chosen for its relevance to women's position and movement in a globalised economy, and for transferability to a context encompassing human trafficking. Accordingly, women's agency will be considered on two levels: one of well-being freedom – women's physical safety and economic security; the other being their agency freedom – their ability to define choices and construct the conditions of choice.

### **6.2 Chapter outline**

This chapter will begin by establishing how a VOT discourse favours well-being freedom, and how well-being freedom is delivered via a package of trafficking protections and services. Using feminist contributions from the fields of victimology and domestic violence, women's trafficking stories will be explored for survival, as the exemplar of achievement agency (6.3). The chapter will then consider women's remodelling of their lives, post trafficking, as a form of adaptation agency. Drawing extensively on Buijs' (1993) and Hunt's (2008) work with migrant and refugee experience, it will consider trafficked women's constructions of agency freedom within the following four areas: social practices, education and employment opportunities, consumer freedoms and sexual agency. The particular role of NGOs in assisting links across well-being and agency freedoms will also be examined here (6.4). The chapter will then present the gravitas women ascribe to being able to tell their own stories and to



being believed, as well as the power of collective agency through a focus group voice (6.5). The chapter will close on aspects of official policy, for illustrations of where and why official discourse favours well-being freedom over women's agency freedom (6.6). The chapter conclusions will be presented in 6.7.

### **6.3 Women's well-being freedom**

The victim discourse framing public, policy and media perceptions of trafficking amplify the effects of trafficking within physical suffering and its attendant symptoms of physical pain and mental ill health. Zimmerman et al (2006: 13) classify the trafficking impact on physical well-being into nine separate clinical categories, indicating the volume and range of damage to physical health alone<sup>1</sup>. In addition to the physical symptoms, their report raised separate concerns for trafficked women's mental health - naming depression, anxiety and hostility (Zimmerman, 2006: 18), and identifying sixteen individual signs of post-traumatic stress disorder, following an episode of trafficking. These spanned a woman's inability to feel any human emotion, through to her inability to escape persistent and recurring terrors (Zimmerman, 2006: 20). Understandably, these bruised and broken images of the victim of trafficking collectively prick social conscience, and stir policy provision towards much needed healing and welfare relief.

In legislating for the rights of presumed trafficking persons, the 2005 Convention sets out a package of "physical, psychological and social recovery" measures designed to ensure women's well-being (CoE, 2005: Article 12). Article 12.1 of the Convention lists these entitlements as emergency medical treatment, information, interpreters, legal assistance, subsistence standards of living (namely accommodation, psychological and material assistance) and education for their children.

Despite establishing these well-being freedoms as basic rights, the Anti-Trafficking Monitoring Group Report (2010) uncovered a number of barriers to accessing trafficking protections and victim assistance. A central barrier for women and NGOs participating in the thesis' research was the requirement of consent in being referred to the NRM - which functions as the official

---

<sup>1</sup> The nine clinical categories cover the neurological, dermatological, gastrointestinal, cardiovascular, musculoskeletal, sexual and reproductive, fatigue and weight loss, infections and eyes.

gatekeeper to trafficking resources and provisions. This single gateway into trafficking help, designed to increase parity and equality of access, often operated against a fundamental aspect of well-being freedom - women's economic security. Withholding consent rendered a woman dependent upon the non-trafficking supports and services of the project, charity or organisational body they were known to. For example,

"I am very grateful to [named project]. I had no recourse to public funds but they just helped me and my children. They really gave me life [a lifeline]. They believed me...and gave me some practical help". (Survivor)

Women holding an irregular immigration status are typically fearful of entering an official system which vets and protects trafficked women. For presumed victims of trafficking, their reluctance to enter the National Referral Mechanism meant their exclusion from the raft of welfare benefits open to other trafficked women. During the twelve month period – April 2009 to March 2010 - NGOs identified over 130 presumed trafficking persons who declined referral to the NRM, fearing the consequences of official attention (ATMG Report, 2010: 31).

As previously raised, having 'no recourse to public funding', was another source of real anxiety and deep distress to women who took part in the fieldwork. However, this impediment to women's social recovery and economic well-being was also felt and borne by NGOs in cases where referred women were deemed, by NRM officials, not to have been trafficked. Unless the NRM found reasonable grounds for thinking a woman had been trafficked, projects (excepting Poppy which was funded by the Ministry of Justice) were unable to reclaim the costs of having sheltered and cared for a trafficked woman and her dependants.

Such obstacles to accessing trafficking rights were not solely confined to the aspect of social and economic recovery. They also affected the physical safety aspect of women's well-being freedom. In choosing independence from the NRM system, women and their support agencies are unable to access trafficking safe houses and protected accommodation available to VOTs. In addition to this, many of the women participants viewed the physical and psychological relief on offer, as overly focussed on their immediate and short term needs. Collectively, women were upset by the number and frequency of

moves dictated by a shortage in bed space, which meant having to retell a difficult story to more strangers, as in a new GP, health visitor or teacher. Women often felt the loss of relationships they had struggled to form, and regarded a lack of continuity to health care and to their children's education, as an additional layer of disadvantage and discrimination. The impact from this is discernible in descriptions, particularly within the focus group, of further internal moves as "more persecution", "big upheaval", "not needed upset" and "exploitation on top of exploitation". Ikra described each of her internal movements as a "second" and "third exile", given the lack of other discernible refugees – "dark faces" - in each of the new places she was sent to. The frequency and long distances involved in accommodating trafficked women has similarities with the adverse impact from inappropriate dispersal, noted for refugees and their families (Lewis, 2007a, 2007b; Hunt, 2008).

In sharing views over personal health and well-being, women frequently raised the issue of their own survival. Recognising survival as agency is a key feminist theme in work with abused women (Kelly, 1988; Mahoney, 1994; Kelly et al, 1996). Mirroring research findings for women in harrowing circumstances of domestic abuse and gendered violence, many of the women participants formed their own survival strategies, demonstrating innate and subjective power in the face of adversity. Olimpiya resisted her trafficker's power over her by singing in earshot of him. Survivor resisted and defied hers, by making some money cutting the hair of other black women, behind her trafficker's back. In terms of participants' stories, women viewed survival as a personal accomplishment of their lived interactions with trafficking victimhood and trafficking agency. Ikra described it in the following way.

"I kept thinking about what kind of life I could make... I'm not saying it's been easy though. There are times when I've been to the doctor's for depression and when it got to night, I still couldn't sleep. Fear, terrors, standing by the window...taking its toll on me...it became for me a way of working through this. I look back and I say I went through all that. I can't believe! It makes you feel you've achieved something and if I can go through that, I can go through anything". (Ikra)

Survivor drew upon reserves of inner strength and felt power to break free from gendered obligations to her first forced marriage and take her chances as a 'divorced' woman.

"You confront the elders and they tell you - forget all about it. But I feel I have to go for this and you take all your strength to take that step – knowing they will never let you leave or go back if you try. But I have to take that step if I want to be safe and because I want my children to be safe and secure. I want to live life and have dreams". (Survivor)

Having escaped a forced transnational marriage, and spent two and a half years without recourse to public funding pending a decision on her immigration status, Davina had this advice for other women.

"I would tell her [a woman in my position] that one day she will be ok. I too have gone through lot of problems and I can give her my story of survival. This experience gives you power to go up, up, up. Now look at me. If I could go back, go home to India, I not have this freedom. I am independent but not alone. I am strong". (Davina)

On a cautionary note, Dunn and Powell-Williams (2007) observe an impact on the agency / structure discourse from an imbalanced interest, either with constructions of DV victimisation or DV victim agency. For them, focussing attention on individual agency reinforces a need for policies of empowerment, health and safety, which serves to diminish structural constraints and the need for solutions at a social problems level. This imbalance works both ways, so that preoccupations with the structural, in turn, lessen the significance in strengthening the personal. With this in mind, caution was applied, on my part, (in the form of questions phrased differently and re-asked of the data), to avoid researcher driven constructions in finding agency. Happily, the attention directed by the women participants to their survival held more in common with Ci's (2005: 249) properties and qualities of human agency than social construction.

"Whatever else human beings might be, they are, fundamentally, agents - beings with the desire and capacity to act rather than merely be acted on, to form and carry out projects of their own rather than serve as mere

instruments of others' purposes. To be more precise, instead of saying that we are agents, it is more appropriate to say that as human beings we comprehend our experience in terms of agency, without which our whole moral and political life as we know it, made possible by such concepts as right and wrong, responsibility, sovereignty, moral worth and guilt, resentment, indignation, and so on, would simply collapse”.

For women participants, comprehending their trafficking survival in terms of agency and personal accomplishment, gave women the power and determination to carry on with their lives and to be taken seriously by those invested in their stories.

#### **6.4 Women's agency freedom**

Under the Convention, the well-being of a presumed trafficking person is legislated for in a package of basic rights to health and welfare 'recovery'. Feminist social scientists, however, regard gendered considerations of women's 'unfreedoms' as providing a more solid and ethical foundation for sustaining recovery and achieving change. As scholars explain, intervention in a person's life, which lacks power to affect the choices necessary for a real change, is not only doomed to failure (Farrall and Bowling, 1999) but is also ethically questionable (Hannah-Moffat and Shaw (2000). These unfreedoms, given form in societal structures and environment, have increasingly crept to consciousness in agency discourse over sex work (Brennan, 2003; Scrambler, 1997; Scrambler, 2007), economic migration (Berman, 2010), exile studies (Buijs, 1993) and female offending (Farrall and Bowling, 1999). In my analysis of the concept of trafficking related agency, this section on agency freedom now concerns itself with how women define choices, and construct the conditions of choice, in adapting to life post trafficking.

Within her work with migrant and refugee women, Buijs (1993: 2) coins the phrase “remaking of self”. This is based on her observations of how women, with an exile experience, have been forced to adapt following separation, struggle, and losses of home, family, roles and traditions. Buijs notes:

“...the exigencies of being migrants, and sometimes, refugees, forced them to examine their pre-conceptions and to adopt both social and economic roles, which would have been rejected at home”.

Applying the construct of remaking oneself to the stories of women participants, there were similarities over the way in which trafficked women also embraced change alien to their pre-trafficking lifestyle. As women faced adjustment and adapted to the unfamiliar, their remaking of themselves enabled them to construct new agency freedoms. These will now be examined in the four areas of social practices, educational and training opportunities, consumer freedoms and sexual agency <sup>2</sup>.

#### **6.4.1 Social practices**

Within their post trafficking experiences, women privileged getting out of the home and meeting people. Highlights in their social calendars involved taking a daughter to the swimming pool (Davina); going to the shops (Neeta), socialising outside college (Olimpiya), meeting a friend in a coffee house (Zara and Ikra) and attending their children’s school concerts (focus group women). For many of the women, having to adapt to new daily routines meant the opportunity of having a social life outside of the family. Contrary to the gendered and socialised roles many women were used to, their new circumstances, often involving the lack of a male partner or an extended family network, necessitated and encouraged women to go out by themselves in public <sup>3</sup>.

Women routinely described taking decisions to leave the house as “scary”, “difficult”, “lonely” and “strange”. Within interviews with women and NGO staff, it became clear that women’s adaptation agency was positively influenced by the NGOs supporting them. One particular Agency had a visibly proactive approach towards social inclusion, encouraging black and minority, ethnic (BME) women out of the home and into public spaces.

“It starts with us. If they miss an appointment with us, we will send a letter out, in their own language, and phone them the day before to encourage

---

<sup>2</sup> These categories follow classifications researched in migration and refugee movement, allowing for complementary and new insights, of value to policy making across migration and trafficking experience.

<sup>3</sup> This contrasts with some reports of refugee women’s experiences. Buijs (1993) observes how menfolk typically resisted a need for women to adopt new roles and responsibilities.

them to come in. For example, although we now have twenty women coming to our women's group, it took us at least six months, to a year, to build this." (NGO Information officer)

During my stay with this particular project, staff referred constantly to "the rules" and the importance of "the rules". When asked about this, the NGO outreach worker explained

"We encourage them not to be BME women, not to remain on the outside, but to be a part of and share in the culture of the host society...As part of their empowerment, we tell women they have to learn what the rules are and to work with them to achieve a better life for themselves and their children. We have had extreme cases of women not knowing how to take a bus". (NGO Outreach worker)

Learning the "rule" or social practice of taking a bus was key to women's confidence in constructing their social agency. As women travelling alone or with very young children, participants expressed feeling safe in the company of other passengers, especially during the darker winter months. They also found getting around and about much easier 'off foot'. More than this, constructing social agency provided women with new and gendered agency freedoms, as in a social life.

"Having good, cheap transport lets me meet friends from college in the evening. Now I have independence outside of home and home life. This is new freedom. Where I came from, women's role is keeping house and raising children". (Olimpiya)

Additionally, interacting with communities as per knowing "the rules" on needing to adapt, gave women control of their own motives and actions in occupying social spaces.

"Back in India, we call it eve teasing – you know, a woman is a sex object if she is seen out alone, especially when it's dark. Maybe because I am mature, but I feel safe from sexual stigma".

(Neeta)

“I think they [project staff] are very good. If someone pushes you...now look at me. I know how to get bus to the swimming baths, which bus I need to buy something. This opportunity gives you power to go forward, have future.” (Davina)

“At first I was scared of doing anything that took me back into community. But then, I didn’t want to be thought poor woman. I didn’t want to be seen as victim.” (Olimpiya)

“Staff always say just do it. Why you don’t do it? The project rules opened lot of doors for me”. (Focus group member)

In summary, women (often as a result of NGO encouragement) constructed new agency freedom for themselves in post trafficking social practices of meeting new people, engaging with the community infra-structure of services and amenities, and creating social lives for themselves outside of the home and family.

#### ***6.4.2 Educational and training opportunities***

Education was another avenue through which women constructed their agency freedom. The majority of women taking part in the research had received some form of basic education, often described as being at the level of UK primary and secondary schooling. Fewer (namely Zara, Neeta, Ayse, Sofia and a handful of focus group women) had gained either a college or university qualification back home. As raised in Chapters 4 and 5, motivations for moving often encompassed an educationally driven desire. These were framed in the hope of improving their education and learning a language (Davina and Survivor) or of increasing their educational capital by exposure to Western influences (Neeta, Ayse). For women coming from Eastern Europe, a decline in educational and training opportunities back home encouraged them to chase better prospects abroad (Sofia and Olimpiya). Around the collapse of the Soviet Union, Scrambler (2007: 1083) cites the highest drop in women’s formal employment as 40% in Hungary, followed by 33% in Latvia, 31% in Estonia, 24% in Lithuania, 21% in Russia, 16% in Slovenia, 13% in Poland, and 12% in the Czech Republic. Some scholars link this heavily gendered, socio-economic upheaval to women’s temporary turn to sex work (Ward, 2002; Ward and Day,



2004); others to an increased trafficking of females into the sex and entertainment industries of the West (Laczko et al, 2004; Kligman and Limoncelli, 2005; Monzini, 2005; Farr, 2005; Munro, 2006).

In keeping with exploitations documented for other displaced and trafficked women, most participants, either found their qualifications to be non portable, or that promises to provide education had been widely exaggerated and falsified. In adjusting to post-trafficking life in a foreign country, women chose their educational options in ways that enhanced the development of new agency freedoms.

One of the ways women constructed agency freedom, was by selecting educational and training options offering them the possibility of a future career outside of the home <sup>4</sup>. This was possible and actively sought by women whose immigration status had been positively resolved. Since 2005, a candidate awaiting the outcome of asylum, humanitarian protection or discretionary leave to remain, can legally be employed twelve months from submitting their application (Williams and Kaye, 2010). By the time of the research interviews, Survivor and Olimpiya had been granted indefinite leave to remain in the UK. Ikra was close to receiving a final decision and was hopeful of achieving refugee status. With securer immigration status, these women had greater opportunity to pursue educational and training options. These were picked with an end goal of some paid work outside of the home and, in the case of Ikra and Olimpiya, a career they could grow into.

“Yes, now I have some documents through asylum giving me humanitarian protection. Now I can go to school. I am doing a course for a volunteer job and, if I like, if I keep there, I can get some money for doing this”. (Survivor)

“I started thinking, I can’t work but I can maybe study or do something to get out of the house. So I started volunteering and now I’m on a language and a computer course. When I came to this country, I never touch a computer. Now I learn ‘cos I will need it when I have work”. (Ikra)

---

<sup>4</sup> Women often felt the primary function of schooling girls, back home, to be fixed in gendered life skills (cooking, needlework and crafts) and moral training promoting good social and religious behaviour.

"I finish make-up artist. I finish beautician last year. I'm finishing level 2 at college now, and today I got some news. Don't know exactly, but maybe gonna get full time jobs doing hairdressing. I been in a couple of competitions!" (Olimpiya)

For trafficked women outside of the NRM system of trafficking assistance, and asylum seekers with unresolved immigration status, there is a legally reduced structural entitlement to seek work or to access financial support. Williams and Kaye (2010: 29) provide the best case scenario as one of a minimal living allowance (capped at 70% of Income Support) and a 'no choice' offer of accommodation. Amongst my research participant group, Zara was the exception, in that her status as a British citizen allowed her to claim full entitlement to state benefits. As Zara described it, being in receipt of benefits and in control of her spending, made her a decision maker. Drawing from Buijs' (1993) work on adaptation and remodelling, it was possible to discern ways in which women, excluded from the job market, were able to take decisions and feel in control of their lives. Women's constructions of agency freedom will now be considered in relation to voluntary attendance at English language classes and the socio-economic contribution of volunteer work.

Learning English was significant to these women as the obvious linguistic tool necessary for communicating their wants, needs and power of decision making. This discourse of empowerment, central to women's wishes for learning English, is noticeably absent from political dialogue. Whilst little is known of the Coalition Government's position on trafficking (aside of crime), the intention to introduce a compulsory English language test for non EU migrants wishing to marry UK citizens, is an example of immigration control. In an interview for the BBC (aired 09. 06. 2010) the Immigration minister, Damian Green<sup>5</sup>, communicated this by anticipating a ten percent fall in visa applications from spouses. Providing the rebuttal, Hina Majid of the Joint Council for the Welfare of Immigrants, condemned the proposal as a concern to human rights, and as a move which would break up families. However, issues of gender or community integration were not factored in by either party. As Buijs (1993: 9) notes for the status of migrant women:

---

<sup>5</sup> Damian Green, MP, was appointed Minister for Immigration in the newly formed Conservative-Liberal Democrat coalition government on 13th May 2010.

“In some situations new economic and social responsibilities have been the basis for a woman’s increasing importance within the family. In others, her role...has been undermined, especially for non-working women, isolated from an extended family network, who find themselves dependent on their children. This is particularly so if, like Palestinian women in Berlin and Bangladeshi wives in London, they do not know the language of the host country”.

In terms of voluntary attendance, many women participants saw the lack or broken promise of English classes, as an affront on their gendered freedom. Women - having escaped the control of traffickers, abusive employers and violent husbands - neither wished to become reliant upon or a burden to their children. Having good language skills gave them independence and assisted, particularly, with their children’s integration.

“I am doing ESOL English classes. My English is improved. Classes are helping me get voluntary job as learning assistant in my daughter’s school. I believe in myself now and I can look after and help her”. (Davina)

“If I was returned to Turkey, there is nothing for me, especially with a small boy. I want the opportunity to study, train. I apply for artist course and take a make-up test. If my English level test is good enough, then I can start on course and start to feel I belong here, to this country. I still feel Turkish but my son will feel both identities”. (Ayse)

Although public access to English classes was free during the fieldwork, this service has since been withdrawn under Coalition plans to reduce public spending. The loss of this entitlement reimposes a particular structural disadvantage on the vulnerable (asylum seekers and refugees) and women in general (who constitute two thirds of all current enrolments - Independent, 2011). This is further addressed in 8.4

Socio-economic agency freedom was also exhibited by women participants in their role as voluntary workers. This resonates with findings for exiled women outside of trafficking. Concerned with refugee women’s ‘secondary’ status compared with refugee men, Hunt (2008) applied a lens of creative agency on women’s role as volunteers. Hunt found that the opportunity of giving something

back, or making a return to the community, offered refugee women a means of feeling socially and economically useful outside of paid employment.

As stated in the pen portraits of my research participants (3.6.1), women (with the exception of Davina) held some experience of working for a living back home. Finding themselves financially and emotionally unsupported in the UK, women adapted by volunteering their services to a range of agencies, selected for their support work with women, children, or new arrivals to their towns and cities. In feeling they had skills to offer, women's participation in this caring work contributed to their self-esteem and restored a lost sense of empowerment to their lives. In this respect, their positive experiences of looking after others connected with empowering claims made for other disenfranchised and marginalised groups, such as care leavers (Ofsted, 2009: 49-52), young working class women (Skeggs, 1997) and new refugee arrivals (Hunt, 2008).

"I really enjoy doing this [helping other care leavers] and I wanted to give something back. I'm not just a single parent or someone who has been in care anymore". (Care Leaver, Ofsted, 2009: 50).

"To be a good citizen, to be able to care for somebody else makes you strong and powerful again...For me, it helps me understand there is purpose to my life and to my struggle". (Survivor)

Taking part in voluntary activity not only helped participants to assimilate into society, but also added to their agency freedom, by positively raising the profile and plight of trafficked women to outsiders. This concept of positive contribution (as against costs) to community, is now an established focus of exile studies (Bloch, 2004; Dwyer, 2004; JRF, 2007; Hunt, 2008) and used to counter discourse of refugees as 'scroungers' and 'freeloaders'<sup>6</sup>. Less attention has been paid to trafficking prejudice and racism, given its victim status. Nonetheless, trafficked women reported discrimination and focus group members shared the following examples of oppression and misconception with me:

---

<sup>6</sup> The stories of 'Swan Bake' (The Sun, 04.07.03) and 'Asylum Seekers Ate Our Donkeys' (Daily Star, 21.08.03) have since acquired the status of urban myths. Such hostile tabloid reporting fuels existing public anxieties over immigration and rekindles racism in UK society. For research on this relationship, see Rothon and Heath (2003).

“They should have learnt the language first”. (Focus group member)

“Foreigners think it’s all roses over here”. (Focus group member)

“What kind of marriage did we expect?” (Focus group member)

“It’s bound to break down ‘cos it’s not a proper marriage”. (Focus group member)

These survivors of a lived trafficking experience, in common with Hunt’s (2008) asylum seekers and refugees, saw themselves as expertly placed to construct new understandings of their situation. Many of Hunt’s participants directed understanding and personal energy towards creating better support services for new arrivals to their region (Hunt, 2005; 2008). Through their volunteer work, many trafficked women similarly deconstructed themselves as victims and reconstructed themselves as valuable members of the community. Women may well have been in need of well-being help when first detected but, with healing and acceptance, could repay this cost to society, by becoming useful and productive members of a community.

“I am doing some work and not getting paid [voluntary work] because I want to make a return to this country. I don’t want to feel that I just take. Giving back makes me feel better about myself”. (Neeta)

“From my experience, I know what it is like. I can understand the difficulties, the problems”. (Davina)

In all of the aforementioned ways, women were constructing their agency freedom (Sen, 1999). By empowering themselves (as in learning the language), women were better placed to define choices. By breaking down barriers at a cultural and structural level (Thompson, 2006), women were improving the local reception and conditions of trafficked women following them. Consequently, and albeit in a much narrower way than Hunt’s (2008) female refugees and asylum seekers, trafficked women also had a hand in constructing the conditions of future choices for themselves and other presumed trafficked persons.

In bringing this section to a close, it is important to acknowledge, albeit briefly, the role of NGOs in achieving adaptation agency in the areas of education and training. NGO staff observed that women arriving in their projects often started

from a position of 'handing over' control to project workers. This is in marked contrast to the reported position for young people (NCAS, n.d; Ofsted, 2009), who "cling" to whatever vestige of control they have left and who "will exit help if they don't feel in charge" (NGO Education officer). NGOs approached this fine line between offering support and taking over responsibility by providing women with options.

"We encourage them to take all their own decisions. We provide them only with options. Independence comes with women taking actions for themselves". (NGO Information officer)

"We provide information, in a way that women can understand exactly what their options are and what the possible results might be of those. So I think our strength lies in remaining objective, being knowledgeable, making links with other agencies, and having that information ready for women". (NGO Project manager)

NGOs, as a professional grouping, also shared trafficked women's perceptions of their well-being and agency freedoms as inter-dependent.

"We review plans every few weeks with women. With time and trust, the women share thoughts and feelings with us like 'You're on my back like a parent'. And we reply, yes ! So, move on to independence and autonomy". (NGO Project manager)

Whilst recognising this interdependency, community based NGO staff realistically questioned its long term efficacy outside of good structural support systems.

"We don't view women as 'victims for the purposes of the Convention' because we provided support prior to ratification of the Convention. No, part of my goal is to ... make as many links as I can with regional communities, so that women can access whatever's available and avoid a return to the refuge". (NGO Project manager)

"You need to offer these women something sustainable. Interacting with staff from other [front line] services can make the difference in offering

'proper' solutions to women with no recourse to public funding."  
(NGO Information officer)

#### **6.4.3 Consumer freedoms**

Women's remaking of self was also evident in their consumer agency. Bhachu (1993: 106) notes how Asian women, raised in the UK, exhibit consumption patterns which reflect socialisations of 'sub class' and region. This occurs not because of the lack of an ethnic or cultural base, but because "Asian women share the symbolic and material culture of that subclass" they grow into. As trafficked women assimilated in to their new localities, many also adopted symbols, styles and practices which reflected their emerging new identities and sense of fresh belonging. Neeta proudly announced ownership of her first credit card, albeit arranged by her now ex husband. Ayse was off to purchase a pair of 'Uggi' boots reduced in the sales and Olimpiya interpreted the new found wealth of many of her sex worker contemporaries, in the following way:

"When you used to 'Prada' clothes and then you buy 'Primark', the difference is there, in the quality". (Olimpiya)

These new patterns of consumption brought with them new well-being and agency freedoms. Women volunteered giving themselves permission, often for the first time, to spend money on themselves and to buy one or two luxury items for their families. In addition to clothes, these usually comprised hard to source food items from back home, for example, superior quality mangos or a particular type of baking flour, spice or coffee. For the exceptional one or two women, luxury items stretched to owning quality electrical goods.

"Now I have a plasma TV and 'Diesel' black boots". (Olimpiya)

More typically, women had access to more costly electrical items through their 'safe house' accommodation. Modern appliances, in the form of a 'micro oven' [Micro wave] and fridges, also brought new agency freedom by liberating women's time from cooking and housework. For example, baking bread no longer took the best part of a day when using self-raising flour and a gas oven, freeing women to leave the home. Shopping, under the anonymity afforded from supermarkets, meant women could buy religious and culturally sensitive food items, like pork and beef.

“I had complete religious freedom. This is the thing with Hindus. You are not supposed to eat beef, but you can’t tell who is a Hindu just by looking at them. Here, I could walk into Burger King. I could buy what I wanted from the shops. I made my own choices on food and dress”. (Neeta)

With less demands on their time from household chores, women told me they were able to take good care of their children and also take up a course (educational agency) or meet up with a friend (social agency).

Overall, women’s well-being freedom appeared less fractured than one might initially have imagined in situations involving acute loss, separation, and readjustment. From talking to these women, it became clear that the costs of adaptation were greatly mediated by the realisation that progress was not wholly at the expense of pre-trafficking identities and personas. As raised in 3.5.3 and 4.4.2, ties to items of food, dress and customs of home, helped women to bridge the psychological gap between the familiar and the new. These bridges helped women achieve a more holistic sense of self in new and unfamiliar surroundings <sup>7</sup>. Turning to women’s agency freedom, the empirical findings portrayed the following impression. In stark contrast to women’s alteration of structural conditions in order to improve their educational and training prospects, women’s consumer freedom was actively aided and enhanced by the existing structural conditions and practices surrounding consumption.

#### **6.4.4 Sexual agency**

The gendered arena of sexual agency is an area where women’s re-fashioning of self, perhaps best illustrated links across victimhood and agency. As addressed in chapter 2, the schism in sex work between forced or free has prompted claims of false consciousness for the other point of view. Similarly, and irrespective of whether or not all forced marriage involves trafficking, imported spouses and transnational marriages are known to provide men with both the structural conditions and personal opportunities for exploiting a partner (Long, 2004; Barry, 2010). Many of these issues have been raised in chapter 5.

---

<sup>7</sup> For additional contributions on food consumption practices and their effects on migrant belonging and well-being, see Hage (1997) and Lewis (2007b; Lewis, 2009b).



By turning to women's lived experience and ownership of meaning, the potential benefits to women also become visible. In Neeta's story, marriage to a husband educated and resident in the West, offered herself and her family new chances of increasing their existing social and economic capital. This practice of female hypergamy or 'marrying up' is observed by Long (2004) across a variety of cultural environments. Applying Long's observation of this practice to Neeta, strong family pressure for hypergamy resulted in a shortage of suitable husbands for Neeta, as a high caste female with considerable family wealth and status to her name. In Neeta's case, her advanced age of thirty eight, further diminished her home chances of attracting a 'suitable' partner, as in someone who was wealthier and more privileged than herself. As Long suggests, factors of family relations, kinship and culture may serve to source females into trafficking fraught exchanges, and have even been known to generate foreign revenue in a number of states <sup>8</sup>. An alternate and earlier anthropological study of hypergamy in northern rural India, records how a shortage of acceptable husbands encouraged a different response to that of trafficking; one taking the form of female infanticide (Miller, 1981).

Despite finding themselves transported and exploited in contexts akin to trafficking, many of the women subjects of transnational marriage described ways of reclaiming sexual agency lost through rape, domestic violence and sexual abuses. For Davina, one way involved re-embodying herself through her daughters' physical and sexual well-being.

"Sometimes, I think if I didn't have her, I would have died because I would have no way to stay alive without her. My daughter is my body". (Davina)

Sofia's sexual agency, lost in being forced to work in a sauna and through official labelling as a sex slave, was reinstated through her case worker's verbal acceptance and written description of her former identity, as a trained radiographer.

A number of women interviewed for the research, expressed a new found sexual agency in their hopes and beliefs that their own daughters would not have to go through their mothers' experiences. This knowledge that their own

---

<sup>8</sup> Fouron and Glick Schiller (2001) report this foreign income generation in relation to the Haitian economy. Such is the gendered capital of remittances, that female migrant workers source the infrastructure which drives their migration.

sacrifices meant a better future for their children, outside of sex work or some other abusive sexual contract (a violent marriage), is echoed in sex worker participant research. Sandy's, (2009) examination of choice and constraints amongst Cambodian sex workers, for example, revealed women's 'pleasure' at knowing their 'sacrifices' had improved the lives of their families. Often, this improvement translated into a family's ability to trade, buy medicines, pay school fees, and enhance the prospects of younger siblings or children. As Sandy (2009: 23) notes, the boundaries of forced choice and free agency blur when duty brings satisfaction with it:

"Women's individual desires are also an important factor, as it is clear that the women derived a great deal of personal satisfaction from being able to meet these obligations".

Whilst many of my research participants normalised conflicting emotions of pain and gain, felt through the trafficking experience, a continued loss or separation from a child formed a real barrier to full sexual recovery and maintained women in a state of sexual victimhood. Survivor's separation from her first child, born during her first forced marriage, constituted an enduring human right's violation of her body and of her right to motherhood. Similarly, for Olimpiya, the new power and independence she felt from making her own decisions and building a new career, was tempered by her inability to resume her full identity as a mother. Although Olimpiya was in the third year of a happy relationship, she still felt unable to move forward and take the next step of starting a family with her partner, as this would feel like replacing her existing children.

"I can't move on with my life. I'm stuck! I can do job and business but can't do new family. I'm meeting some guy and am three years with him and I don't want to be pregnant, I don't want to! I need my family here first and, then, I need time to get to know my children. It's gonna be very hard. I didn't been there for seven years". (Olimpiya)

Ikra explained that she was still hoping the Red Cross might find her partner and be able to reunite him with her and their daughter. He had been kidnapped by bandits during a store robbery, in the early stages of their journey out of Somalia. Ikra had not seen him in over two years and confided that being

together, and safe in the UK, would make her happy and her life complete again.

This 'loss' of children, raised by trafficked women, is a key theme in the literature on transnational mothering. Both migrant women and men have evolved ways of negotiating the divide across separation and caring. Scholars note how mothers and fathers find ways of performing parenting – Filipinas and Moroccan mothers through creative and intimate communications with home (use of video and audio tapes, Zontini, 2004, 2008), and Polish fathers by treating remittances as a vehicle to instruct and nurture children's behaviour across distance (Kilkey et al, forthcoming). Also recognised for transnational parenting is its practice in a precarious context of mixed emotions – satisfaction at raising the quality of life for families back home versus the burden in assuming new responsibilities (Zontini, 2004), accepting less qualified domestic work (Lutz, 2008), or a drop in status (Parrenas, 2001). In spite of imaginative transnational parenting and communication strategies, it was clear from listening to trafficked women, that family reunification remained a vital piece in completing women's sense of sexual well-being and fulsome agency over their mothering rights and freedom.

### **6.5 Agency and the power of voice**

The gravitas of being believed was paramount for the women interviewed and sought from official actors. Women realised that expressing their motivations alongside their injustices would pose problems to their eligibility for VOT status and victim support <sup>9</sup>. Nonetheless, being able to tell a truth story, embracing elements of exploitation and opportunity, was regarded as more important than securing a criminal conviction. The importance to women of being believed by official actors is a finding upheld by the Stern Review (Home Office, 2010c: 9) into criminal justice handling of rape cases.

“Victims and those who work with them told us that the criminal process is important, but getting support and being believed is as important. Processes should be in place that are about ‘honouring the experience’ ”.

---

<sup>9</sup> Jordan (2001) notes the pressure felt by women, in rape cases, to tailor accounts for increased believability.

Amidst her findings and recommendations, Baroness Stern reported that the plea bargaining over convictions neglected the needs of women and discouraged them from coming forward with complaints. In an audio interview given to the Guardian newspaper (2010b), Baroness Stern suggested

“We have probably put so much emphasis on the criminal justice process ... that the actual needs of the human being who's suffered this appalling violation come second... What I've tried to suggest is that they should at least be equal.”

So why is having a voice so crucial to women with experience of a trafficking violation?

Morris (1997: 29) explains

“Voice matters precisely because suffering remains, to some degree inaccessible... Voice ranks among the most precious human endowments that suffering normally deprives us of, removing far more than a hope that others will understand or assist us. Silence and the loss of voice may eventually constitute or represent for some who suffer a complete shattering of the self”.

With minor exception <sup>10</sup>, women with trafficking experience expressed an affinity with these connecting sentiments of silence, self and believability. For one focus group member, expression of her suffering brought with it a hope of recovery.

“Real suffering is not being able to tell some-one about the things I have lost. In suffering in silence, I'm never going to get them back again”.  
(Focus group member)

For Neeta, being able to tell her story gave her self-belief and brought self-healing, allowing her to move on with her life.

“In silence, I was not opening myself up to any opportunities. You have to break this barrier of silence if you want to move forward in your life. My

---

<sup>10</sup> NGOs shared rare but equally valuable practice experience of women who do not want their trafficking experience raised ever again, who want to be placed in the community, and who refuse anything outside of mainstream services. NGOs attributed this to the individual's personality and to having had a relatively independent status pre-trafficking.

attitude has changed a lot. I am now open to doing a Masters in this country, so that I can become employable". (Neeta)

For Survivor, having a voice and being believed helped her to survive her ordeal and brought with it the promise of a new beginning.

"They [project staff] were the first one I told my story to and they believe me. Believing in some one is a big thing. They were not there in my country. They were not there when this happened. But when I told them they believe in me...My trust in human beings had gone...To be heard gave me life to live again". (Survivor)

For these women, having a voice was critical in sustaining 'the self' under suffering. Voice gave embodiment to their suffering and being believed assisted them towards recovery and self-healing.

Focus group women also valued the power of a collective voice in the embodiment of suffering. Many derived strength from knowing that forced marriage and trafficking deceptions had happened to other people and that they could overcome their pain.

"I was strong through the group. They encouraged me and believed in me and my story. They also told me of all the many others in my place". (Focus group member)

"You are not one woman. There are many womans". (Focus group member)

"Believe in yourself! You are not one or two. There are many women and you will come to stand on your own two feet". (Focus group member)

For Olimpiya, being believed shielded her from feelings of self-blame, particularly around leaving her children to find work abroad. Women's wrongful acceptance of blame in situations of rape and domestic violence, is now recognised and established both in anti-domestic violence training and offender programmes (Duluth, 2011), and sexual assault research (Kelly et al, 2005). However, the tendency for victim blaming, particularly of women in situations of

sexual violence, has a long and pervasive history within the criminal justice process <sup>11</sup>.

“I have heard people [officials and members of the public] say to me, you should have stayed in Turkey. I think, if this has not happened to you, you shouldn’t say you should do this or that. I’m just ignoring these people. They make me angry because they don’t understand the situation. I felt paralysed, like I can’t do anything. Yes, I’m bossy, not scared of anything but, in this situation, it’s hard to do anything”. (Olimpiya)

The systemic tension inherent in the NRM’s dual purpose of vetting stories for credibility and protecting genuine victims is recognised in the ATMG (2010) evaluation of UK responses to trafficking. The monitoring group stress the irony contained in official endorsement of traffickers’ threats, that women who tell their trafficking story will not be believed (ATMG report, 2010: 37). This was a source of real anxiety and concern across the various projects comprising the NGO group. NGO staff framed this dilemma as a ‘culture of disbelief’, operating at a statutory level, with negative consequences for their clients. One of the negative effects of this disbelief culture could be seen in women’s treatment, from both a well-being and agency freedom perspective.

“I can give you examples of GP’s not waiting for the arrival of an interpreter to a surgery appointment because they don’t see these women as being in genuine medical need or eligible for NHS treatment”. (NGO Support worker)

“Even in terms of women’s initial contact with the Police in the UK, the fear and deprivation of freedom and control continues when they are put into police cells awaiting interviews, or held in detention by immigration staff unsure of their status, or because they have committed immigration offences. This follows the pattern of authority, and of how they have perceived officials as treating ‘trafficked women’ in their own country. They and their stories have not been believed or accepted, and this can continue depending upon which service they encounter”. (NGO Project manager)

---

<sup>11</sup> For research on the Criminal Justice System’s legacy on victim blaming, see Temkin (2000).

As one NGO project explained it, women have both personal and second hand knowledge of this culture of disbelief, and so feel the need to withhold or embellish information to gain a favourable response.

“I think good trafficking practice, first of all, is to listen to the woman and believe her. Like we would tell everybody else to do - believe her and work from that premise. You may want to start disbelieving bits of her story later on because there are times when women do lie, because they think that they have to lie. That again is the culture of the thing; that is what has been fed to them by traffickers”. (NGO Information officer)

Such comment receives support from the ATMG Report (2010) into UK official trafficking responses and accounts for low rates of sexual crime reporting across UK BME communities (Fawcett Society, 2004).

However, this culture of disbelief also carried negative sway for some professionals, whose objectivity in handling trafficking cases was viewed with suspicion. NGO staff taking part in the research complained at the exclusion of sister charities and asylum solicitors as first responders, that is, referral agents to the NRM. In these situations, workers with a suspected case of trafficking, pass details onto one of the designated first responder agencies, empowered to refer the case for NRM scrutiny <sup>12</sup>. For NGO staff, this was evidence of a two tier system of professional standing, replicating a dualistic system towards victims.

“This is driven by a culture of disbelief, in which the fear is that trafficking claims will become part and parcel of trying to claim for staying in the UK, or fear that recognition of a VOT experience will lead to a drain on benefits. NGOs are made to feel the charity sector has something to gain by lying!” (NGO Support worker)

“There are some issues around who we’ve recognised as being formal first responders and we need to limit that, because we don’t want immigration solicitors creating cases for their clients and directing them to go straight to the Competent Authority. I don’t think you could trust them quite frankly.

---

<sup>12</sup> Currently, designated first responders work for the Police, UKBA, UKHTC, the statutory service sector and a select number of registered trafficking projects, for example, Poppy, Tara and the Medaille Trust.

And if I was paying money for a lawyer, I'd hope pretty much that he'd be partial and not impartial on my behalf; so we do need to have that sort of barrier. It needs to be expert and it needs to be objective or as objective as possible. It's difficult for NGOs to be entirely objective". (senior GEO 2)

In addition to a silencing of women and NGO voices by a culture of disbelief within the formal trafficking framework, corruption and the fear of corrupt officials served as another barrier on voice. A Home Office research report with convicted smugglers and traffickers, brought allegations of UK official misconduct to media attention (Webb and Burrows, 2009). Interviewees raised practices of corruption and exemplified the bribery of immigration officers to facilitate their entry into the UK. The Report explains:

"In some cases, the corruption was not as obvious as the payment of money for services rendered but was more subtle – to do with longstanding relationships of mutual benefit (e.g. favours between people in 'useful positions'). The term 'influence' rather than corruption was used in some circumstances. But, equally, interviewees provided examples of bribery (and, naturally, the payments of bribes are included in any business costs)" (Webb and Burrows, 2009: 19).

Olimpiya attributed her own reluctance to report, and that of known others trafficked for sexual exploitation, to the commonplace corruption of police and immigration officers. Olimpiya marvelled at the normality of corruption, regarding it as the only viable explanation for her lack of detection in journeying between Turkey and the UK. Having been locked in the boot of a car and crammed onto an overcrowded boat, which sank just short of Naples' main port, Olimpiya suspected a degree of collaboration between her traffickers and security personnel. This was confirmed when she saw "with my own eyes" Albanian policemen taking tea and telling jokes with her captors <sup>13</sup>.

---

<sup>13</sup> The Guardian (22.01.2010) featured an extract from the 'Whistle-blower' (Bolkovac and Lynn, 2011), detailing corrupt practices amongst monitors within the UN International Police Task Force – IPTF – stationed in Bosnia.



## **6.6 Official discourse, policy and women's well-being and agency freedom**

This final section considers some of the ways in which official actors and official responses impact on agency, particularly around constructions of a trauma story and victim identity. Having addressed ways in which professionals soften the effects of the official system for recipients (4.6), this section considers how responses disadvantage the well-being freedom of some trafficked women and typically favour women's well-being freedom over their agency freedom. In doing so, it presents reasons for why this occurs and forms the link into chapter 7, on the ramifications for agency from UK governance on trafficking.

One explanation for official discrimination lies in the construction of, and official sympathy for, a trauma story. Women referred to the NRM pass through a two tier decision making process over their eligibility for VOT status. The first is a 'reasonable grounds' test, which for women who pass, entitles them to a 45 day period of reflection in the UK – 15 days longer than legislated for under the Convention (CoE, 2005: Article 13.1). A 'reasonable grounds' decision triggers a low level threshold to credibility, along the lines of: 'Is this trafficking claim likely to be true?' If the answer to this question is 'yes', then the individual receives a 45 day reflection period, at the end of which a conclusive decision is reached. Conclusiveness was frequently described by GEO professionals as a 'balance of probabilities' test, and one in which official actors were not after 'proof', but 'reasonable likelihood' that trafficking had taken place. This closely accords with the guidance supplied to the UKHTC and the UK Border Agency, who operate as the competent authorities, or official decision makers, following UK ratification of the Convention in December, 2008 (UKHTC, 2009a).

Although this initial stage of the decision making process appears to be relatively straightforward, these tests and their thresholds carry considerable room for official interpretation and discretion. One complication surrounds how officials treat findings for, and women's admissions of, some collaboration in their movement. Women's truer accounts, in contrast to the anticipated and reified narrative of trauma, reintroduced doubts over women's consent and knowledge in the trafficking process. As explored in chapter 5, the 'conundrum of women's agency' (Agustin, 2006b: 116) confirms how migrants (particularly in sex work) are often aware of the type of work on offer (Kempadoo, 1998b) and

accepted traffickers help to secure it (Andrijasevic, 2003). Such complicity in women was judged as making them partially responsible and, therefore, less deserving of trafficking help towards their well-being needs. This lack of official sympathy for women entrepreneurs or low level law breakers, has been shown to raise the threshold of trafficking eligibility to the point of excluding many VOT applicants, involved in sex work, from help (O' Connell Davidson, 2006; 2010; ATMG Report, 2010). Many participants in the focus group told me they had achieved temporary leave to remain in the UK, via alternative routes of human rights and / or asylum applications. Having to meet a discretionary threshold, premised on official feelings of sympathy, discriminates against women's entitlement to well-being freedom and contravenes the spirit and guidance laid down by the Convention.

Whilst women, with a precarious trauma story, risked discrimination to their well-being freedom, women's agency freedom came a poor second to concerns over victims' well-being. As explored in 4.3, the acceptable face of trafficking is reified in raw physical suffering, and the victim of trafficking in broken and bruised humanity, locating remedy in restoring former and new well-being freedom. This reified image focuses official attention on severe or extreme end cases, as showcased in Zimmerman et al's (2006) study of the health consequences from trafficking. For official actors, tasked with vetting as well as protecting potential VOTs, the visible presence of a broken and damaged individual becomes a discerning factor between victim believability and lack of victim credibility. The believable victim, in turn, presents clear and immediate needs for recovery, which focuses attention and resources on providing well-being assistance. In this way, official reification of the VOT - in raw physical suffering - serves to profile and privilege well-being freedom, at the expense of other agency freedoms.

"One of the limitations, I guess, of the Convention is that it talks about trafficking, what the thresholds are, what the definition is but it's actually pretty broad. At the very extreme end, you can be so traumatised, that you're actually not capable of really cooperating with the authorities, or even describing your experience, or beginning the route out of it for many months. In extreme end case studies you see pretty horrific stuff, and their needs can be really quite different from those much further down the

spectrum...But simply the fact they've been trafficked doesn't mean we think they're entitled to stay here and build a life, and that's what the Convention says". (senior GEO 2)

"Our other obligations sort of kick in. We're not going to send people back to be re trafficked or send them back if they're going to be persecuted. The point I'm trying to make is that trafficking doesn't necessarily provide special status beyond that sort of recovery and reflection period". (GEO 6)

GEO responses, however, are not solely shaped by social constructions and professional interpretations of the Convention. All professional practice is embedded in the core business it serves. Accordingly, official prescriptions of trafficking recognition and experience are mediated by understandings of the Protocol and the Convention, as crime prevention instruments (Home Office, 2007; 2009b). In spite of ample literature on the problems of applying the UN (2000) serious organised crime frame to global movement (Bastia, 2005; Goodey, 2008; Berman, 2010), and human rights (Goodey, 2003; Craig et al, 2007), senior GEO participants perceived the UN crime umbrella and the human rights led Convention, as intrinsically joined in effective anti-trafficking work.

"I've been doing this for over two years and the approach we've adopted throughout [pause], the only way to get the practical solutions to what was required [under the Convention], and to improve the service to victims, and to improve our ability to get the people actually involved in trafficking them, is to be completely open in combining the criminal justice element with the prevention and protection element". (senior GEO 2)

"Yes I do think they can work. I think we do a good job of meeting those three core issues [prevention, protection and prosecution] which came out of the UK Action Plan and now form the core business objectives of the Centre. So long as we continue to review where we are, align ourselves to those core drivers and remain open to utilising the skills bases which are out there, we can deliver on the human trafficking agenda".(senior GEO 3)

Although the recovery element of the 45 day reflection period carries a concern with women's immediate well-being needs for health, information support and

safe accommodation, the agenda of reflection is firmly grounded in the business of fighting crime. The purpose of a reflection period is to allow women time to consider if they wish to cooperate with a police inquiry, and it was here that the official business of catching traffickers was most apparent.

Preoccupation with a crime agenda surfaced in the language used to describe their work with trafficked women. Participating GEOs had an intellectual appreciation of women's agency within trafficking which was confined to crime and expressed in crime-conscious vocabulary. Hence, women were "VOTs", "agents", "risk takers" and, occasionally, "law breakers". This contrasted with NGO terminology of women as, more typically, "economic migrants", "refugees", "pioneers", "entrepreneurs", "globe trotters", "romantics", and from a faith based professional, as "bodhisattvas"<sup>14</sup>. Client identifiers of "trafficked", "victims" and "asylum seekers" were commonplace across both research categories. GEOs, once again, viewed the broader classifications employed by NGOs as, potentially, less professionally objective. Whilst both groups valued trust for getting to the facts of a trafficking story, GEOs were wary of practitioner related biases and their potential dangers for risk averse assessments. Primary amongst GEOs was a concern with attribution, so much so, that one senior GEO refused to answer any questions on this specific subject. In their risk averse roles, officials viewed other professionals as carrying an unreal optimism regarding the individuals they helped: For example, that a presumed trafficking person posed no risk to public safety, border security or law enforcement. They also regarded non statutory practitioners as being freer in the performance of their roles, increasing the possibilities of a more selective interpretation and assessment of 'the facts'. Additionally, authority figures expressed a concern with the plethora of principles, ideals and fundamental beliefs governing the work of many statutory projects and groups. Strachan and Tallant (1997: 21-24) identify this particular concern in risk assessment work as "confirmation bias", or the tendency to avoid information and interpretation that contradicts a fundamentally held or prior belief.

---

<sup>14</sup> A Bodhi (enlightenment) and sattva (body) is anyone motivated by compassion and who embraces suffering for the good or aid of others. Although this research did not engage with women's religious beliefs, many women participants imbued their faith with properties of agency. As example, women - through their personal faith - gained stewardship over their suffering and confidence that they would prevail over social, economic and personal injustices, in providing a better life for their loved ones.

GEOs premised their own decision making, as objective, on grounds that the process on which it was based could be “perceived”, and was in some form “measurable”. Demonstrating objectivity translated, in practice, to rationing scarce resources for women’s recovery in extreme end cases, where it could be seen as doing the most good. Measurability typically surfaced in the language of meeting targets and closing cases.

“Whereas the Police have performance indicators as part of the victim’s charter, the UKBA has performance indicators and time scales, on which it can be audited as failing”. (senior GEO 3).

“Police referrals and reports may well contain more detail, as interviews are part and parcel of an investigation. The police may have taken three interviews, of ten pages, with video evidence. The authorities make and break cases this way but NGOs don’t work that way, as support providers”. (NGO Support worker)

As Agustin (2006b: 134) suggests, this official legislation and investment in persons recognised as being “a damaged victim” or “a desperate refugee” can prove counter-productive to society, as it serves to exclude those in a position to contribute from doing so. This was the case for many of my participant women, denied access to employment as a result of their irregular status. It is also widely voiced in refugee literature (Glover et al, 2001; Bloch, 2004; Dwyer, 2004; Williams and Kaye, 2010).

Whilst there were clear, and perhaps anticipated, tensions surrounding the professional constraints and opportunities across the GEO and NGO sectors, both Sofia’s and Tijana’s well-being and agency freedoms were significantly compromised once placed within the penal system. The Howard League has long campaigned over high rates of mental ill-health, self-harm and suicide amongst female prisoners as compared with their peers in the general population (HLPR, 2005; 2006). These issues have also proved a focus for recent prison inspections (HMIP, 2007; 2010). In an interview for BBC’s Radio 4 (aired 21.04.2010) the League’s director, Frances Crook, combined risk factors of a shortage of suitable institutions, highly secure and controlling prison regimes, and females with high rates of psychiatric problems, as triggers behind this.

For foreign nationals in prison (irrespective of gender), additional and specific problems of immigration, communication, incorrect diet, lack of support, cultural isolation, separation from children and families – on top of the pain of a victimising experience – made detainees even more susceptible to stress and depression (HMIP, 2006). Whilst the report found rates of self-harm to be lower for foreign women than their male counterparts, women cited unmet health needs, as posing a much bigger problem for them than for foreign men. The report further emphasised that, although views over their health care were more positive from foreign than British inmates, this could be explained by lower expectations on the part of foreign prisoners (HMIP, 2006: 55-60).

For Sofia and Tijana, their status as prisoners further reduced their capacity to access structural benefits linked to their agency freedom. In their status as convicted prisoners, they were deprived of full choices over dress. As raised in 4.4.2, freedom around choice of dress provides women with a tangible connection to memories and identity of their persona and life pre-trafficking. This not only benefits women's well-being health, but assists against the structural erosion of a familiar or cultural way of life. Restrictions imposed on food in prisons, acts as a further powerful reminder of women's loss of control in decision making. As Lewis observes for the salience of food in her ethnographic study of community (2009: n.p.)

“...it is possible to view the...consumption of special foods as a source of freedom – a sense of choice and self within lives dominated by the powerlessness of the asylum system and the limitations of exile and refugee status. The temporary nature of choosing to consume certain food at a particular time may be exactly where the sense of choice and freedom potentially attached to food lies for asylum seekers reluctant to look back and unable to plan for the future”.

As Crook (BBC Radio 4, 2010) observes for British female inmates, subjection to an unnecessarily secure and controlling environment strips women of well-being health. Moreover, applying Lewis's findings for food to the context of foreign nationals in prison, it also deprives displaced women of what little power they have left to take decisions and affect changes in their lives. Prison life placed Sofia and Tijana in a state of structural limbo, where they were unable to

either reclaim their old agency freedoms (typified in dress and food), or to construct new agency freedoms for themselves either through integration into their host society, or through negotiation of 'old' food in a new environment.

Sofia and Tijana's structural disadvantage occurred in further ways. Upon serving their custodial sentences of twelve and eighteen months respectively, each in a different women's prison, both Sofia and Tijana were detained at the point of custodial release and held under immigration rules. As Sofia's case worker observes, not only did her irregular immigration status prevent judicial consideration of a community or suspended sentence (as opposed to a custodial penalty), but Sofia was detained in prison for the time it took to arrange her deportation. Whilst her case worker did not know the precise length of time this took to arrange, a conversation with an immigration officer led him to believe it might take fourteen days to effect the judge's ruling of "immediate deportee after sentence" (Judge's sentencing comments). Sofia's ineligibility for a community penalty, and her detention in prison post sentence, constitute two assaults on her agency freedom. Similarly, Tijana's "inevitable prison sentence" (Judge's sentencing comments), and her continued detention in prison whilst awaiting an asylum decision, compromised Tijana's capacity for agency freedom. As Bosworth (2007: 167) notes for convicted offenders, once prisoners complete the custodial portion of their sentences, their status returns to one of unconvicted. Being unconvicted, restores privileges removed from the individual by the prison system. However, as Bosworth notes for official guidelines around immigration and prison practice,

"Immigration detainees can continue to be held in an establishment that does not normally hold convicted prisoners so long as they consent to the withdrawal of their unconvicted privileges".

Tijana was held in prison beyond the end of her custodial sentence and will have had her privileges withheld during this period. Whilst her own thinking is unknown, it is reasonable to view Tijana's consent to this as founded on a lack of fully informed knowledge or a desire to create a good impression for her asylum hearing. Case records show that Tijana was eventually transferred to a trafficking safe house, under Section 4 of the Human Rights Act. However, neither the date of her transfer, nor the asylum outcome were documented. In

replying to a research request for information as to the outcome, the safe house manager confirmed it was house policy not to disclose information pertaining to the whereabouts or status of any resident.

In a final comment on structural disadvantage, two additional concerns deserve mention, albeit briefly.

The first is that both Tijana's well-being and agency freedoms were compromised by the fact that her second trafficking experience, for criminal activity, was not universally recognised by the Crown Prosecution Service, as a legitimate trafficking violation in adults. The exploitation of criminal services contrasts with labour exploitation, sexual exploitation including trafficking, servitude or slavery, all of which are protected under law <sup>15</sup>. Ironically, had Tijana been trafficked for prostitution into the UK (the reason recorded for her first trafficking experience from Nigeria into Italy), Tijana might have been treated more compassionately, as a victim of trafficking. Alternatively, had she been a minor when trafficked into the UK for criminal purposes (as she had been when first trafficked for prostitution into Italy), she might also have received more favourable and humane treatment. The considerable political and media attention on the trafficking of children (i.e. persons under the age of 18 years) for criminal purposes, has increased sensitivity and improved policy awareness of children's involvement in begging, pick pocketing, shoplifting, distraction burglary, mugging, street robbery and cannabis production, as potentially linked to trafficking (ECPAT, 2010; BBC Radio 5, 2010). Although the CPS (2010) has recently introduced latitude (grounded on duress and public interest) to the prosecution of adult persons involved in immigration offences, the dual task of vetting and protecting continues to pose dilemma for official criminal justice actors, across all age groups. In the recent ACPO Report (2010), realisations of trafficking violence and better understanding of the involvement of trafficked children in cultivating cannabis, does not appear to have filtered through into criminal justice responses.

---

<sup>15</sup> Within the UK, trafficking is discerned and legislated for as sexual exploitation (including prostitution) under the Sexual Offences Act of 2003 (sections 57, 58 and 59). Trafficking people for exploitation is accepted and legislated for under a raft of Immigration Acts, commencing with the Asylum and Immigration Act 2004, and most recently amended in the Borders, Citizenship and Immigration Act, 2009 (section 54). Trafficking for forced labour, servitude or slavery is enshrined for England, Wales and Northern Ireland, in the Coroners and Justice Act, 2009 (section 71) and for Scotland, in the Criminal Justice and Licensing Act, 2010 (section 47).



“It is common for illegal immigrant suspects to lie about their age, claiming to be under 18 in order to frustrate the judicial process” (ACPO Report, 2010: 11).

In the two adult case studies of Sofia and Tijana, although both women received their custodial sentences prior to this CPS guidance, and EUD new rules, it is unlikely that either would have made “credible” trafficking victims as per the guidelines. Accordingly, both the Government and the CPS remain subjects of critique, for their continued prosecutions of presumed trafficking persons without full or proper documentation.

The second and final concern raised is the issue of non EU membership. This structural inequity in opportunity perceived by non EU women, compared with their EU counterparts, featured in comments across focus group and individual participants. Focus group women struggled to understand how some countries with poor human rights records were members of the EU, and Olimpiya joined other select focus group voices in questioning why some states within the former Soviet Union were members of the EU, and others were not. Issues of poverty, safety and the right to a better standard of life through marriage and jobs, united non EU women across ethnic difference, in feeling structurally excluded from EU privileges and assistances. Many of the interviewed women saw restrictions placed on their personal movement into and through the European Union, as having increased their vulnerability to exploitation from greedy travel agents and traffickers. In research with asylum seekers, Koser (2000) draws a link between restrictive asylum policies and asylum seekers exposure to traffickers and their services. He further notes how the association with traffickers increases asylum seekers vulnerability to exploitation and abuse. In reality, women’s perceived benefit in EU membership may well have been less attractive and less available than imagined, given the complex regulation on immigration <sup>16</sup> . Nonetheless, any extra hoops governing non EU women’s access to work, study, or join family were perceived as an additional layer of gendered discrimination and culturally linked oppression.

---

<sup>16</sup> For up to date coverage of European integration, labour markets, and citizenship on trafficking, see Andrijasevic (2010).

## **6.7 Chapter conclusions**

This chapter began by establishing how trafficked women's well-being freedom is legally understood and practically set out, as a policy package of trafficking protections and services around immediate and material needs such as accommodation, health and information. Drawing upon the testimonies of women, professionals, and available literature, it highlighted the shortfalls and offered explanation for the reduced delivery of women's well-being freedom in practice. These shortfalls appeared most keenly felt by women around disruptions - for example, to settled accommodation, health care, and children's education - which destroyed women's relationships with service providers and their links into the wider community. Consequently, it emerged that women's most essential welfare needs (deemed as rights under the Convention and prioritised within official response) were considered by participants as largely unmet.

By researching agency freedom through women's remodelling of their lives, the chapter revealed ways in which women achieved agency freedom post a trafficking experience. Principally, the empirical findings established trafficking survival as being the exemplar in the achievement of agency. Staying alive, and living a life post trafficking, was an accomplishment exhibiting courage, power, and qualities of self determination and independence.

The structural aspects of social, educational / training, consumer, and sexual freedom were also examined for signs of women's adaptation agency. Women adapted new social agency by learning the 'rules' aiding their assimilation into the host society. For example, in learning how to take the bus, women took part in recreational activities outside of the home (travelling to the swimming baths, meeting a friend for coffee, and going down to the market). One of the major ways in which women fashioned educational and training agency lay in their purposeful choices - English classes to help them communicate their choices, and voluntary work as a means of dismantling social and institutional barriers towards 'foreigners', and improving their chances of getting paid work in the community. In contrast to women's agency in remaking new social, and educational / training prospects (with the aid of NGOs), it appeared that women's consumer freedom was actively aided and enhanced by the structural

conditions and practices in place surrounding consumption. Women experienced new religious and cultural liberations, evidenced in Neeta's choice to eat beef (prohibited by Hindu observance) and women's ability to remain anonymous – through Westernised clothing. Hitherto unaffordable electrical items, such as fridges, micro waves and blenders, liberated women's time, freeing them to leave the house and still have time to 'cook tea'. Against these considerable gains, the least satisfying aspect in women's renewed lives proved to be that of sexual agency. Family reunification - particularly involving children left behind - remained a trafficking-imposed injustice, which harmed their full recovery and agency freedom over mothering. Finally, women's stories affirmed the importance of being believed and illustrated its centrality in maintaining a sense of oneself under suffering (Morris, 1997). As a segue into governance, transgression, and agency, this chapter closed on the particular problems of Sofia and Tijana, from a criminal justice system tasked with vetting and protecting the presumed victims of trafficking.

## **CHAPTER 7: GOVERNANCE: ASPECTS OF DISLOCATION, TRANSGRESSION AND AGENCY**

### **7.1 Introduction**

Whilst earlier chapters have raised the intersections operating across women's trafficking identities, subjective experiences, and relationship with agency, this chapter addresses fragmentations specifically within human trafficking governance. Given its global occurrence, governing the phenomenon of human trafficking is necessarily complicated by competing perspectives of human rights, migration, development, gender, crime, prostitution and modern slavery. Further barriers to unification are posed from national nuance on internationally enacted human trafficking legislation. It is beyond the boundaries of this chapter to review the comprehensive effects on trafficking related legislation from such disparate theoretical approaches and domestic level responses, both of which are amply covered in the existing literature on trafficking (Munro, 2005; 2006; Lee, 2007; Goodey, 2008). In light of the empirical focus on agency, and its lived relationship with exploitation and victimhood, this chapter interrogates two of the major sites of policy dislocation (prostitution and transnational marriage) and considers the negative implications of fragmented governance for women's welfare and women's agency.

### **7.2 Chapter outline**

This chapter locates divisions in UK trafficking governance against the internationally recognised anti-trafficking instrument – the Protocol - which sets the context and parameters in trafficking protections and eligibility for trafficking services. Against this international statute, the chapter will proceed to examine how national governance of prostitution (7.3.1), and domestic governance of transnational forced marriages (7.3.2), adversely affects the welfare and agency of sex work migrants, women trafficked for sexual exploitation, and wives imported into the country as transnational brides. It will show how the UK's absence of a pro-choice sex work agenda, and omission of marriage from a context of trafficking, harms women who find themselves in the UK. The chapter will then draw out additional dilemmas for agency, posed by women's - and trafficked women's presence - in contemporary trafficking activity. In particular, it will spotlight women's transgressive agency – their role in trafficking and

forced marriage and their economic gains in trafficking - as raised by the empirical research with women and professional actors (7.4). Finally, the chapter will appraise the application of a trafficking frame to women's globalised movements (7.5), leading discourse into the conclusions, challenges and recommendations of the final chapter.

### **7.3 Trafficking - definition, correlation and dislocation**

As Gallagher (2002: 28) observes for the Trafficking and Smuggling Protocols, international adoption of the twin treaties was a welcome landmark on the road to achieving international cooperation in human trafficking. From her vantage point at the UN High Commissioner's Office for Human Rights (OHCHR), Gallagher states:

“For the very first time, the parameters of acceptable responses to trafficking and smuggling have been established. There is now a standard against which laws, policies and practices relating to trafficking can be judged”<sup>1</sup>.

Drawing upon a cross section of official documents (the travaux préparatoires), interpretative notes, and feminist analysis of the debates (Outshoorn, 2005; Doezema, 2004; 2005; 2010), it is clear that the preliminary talks were marked by ideological schisms around the meaning of prostitution (as violence or labour) and over facilitated prostitution as forced or free migration. Less well rehearsed was the intense lobbying by the UN Convention Committee (supported by members of the Human Right's Caucus<sup>2</sup>) for an inclusion of forced marriage, forced labour and debt bondage, as integral trafficking exploitations (Gallagher, 2001; Outshoorn, 2005). Such ambiguities were

---

<sup>1</sup> To recap, Article 3 (a) in the Protocol to Prevent, Suppress and Punish trafficking in Persons, Especially Women and Children, defines trafficking in Persons as

“...the recruitment, transportation transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

<sup>2</sup> Doezema (2005) cites the principal players in the Human Right's Caucus as being the International Human Rights Law Group (IHR LG); Global Alliance Against Trafficking in Women (GATW); La Strada; the Foundation Against Trafficking in Women; Asian Women Human Rights Council; the NGO Network Against Trafficking in Women; Fundacion Esperanza; Foundation for Women; and KOK – a national German NGO.

reconciled via recognition and legislative provision for the sovereignty of domestic jurisdiction in contested areas, most notably, surrounding prostitution. The consequences of a UK split from UN governance will now be explored, focussing on the policy harms for women in prostitution and transnational forced marriages.

### ***7.3.1 The effects of dislocation on the prostitute subject***

As aired in chapter (2), argument between forced prostitution and a sex work discourse of choice dominated talks in the run up to the UN (2000) Convention against Transnational Organised Crime and its two subsidiary treaties on trafficking and smuggling. As previously rehearsed, this schism centred upon opposing views on consent (Outshoorn, 2005; Doezema 2005; 2010, Munro, 2006): with abolitionists (such as CATW) upholding the act of prostitution as inherently exploitative and as gendered violence against women, and the Human Right's Caucus respecting the consensus and diversification in adult prostitution. For abolitionists, who hold all engagement in prostitution as lacking in consent, the act of prostitution is necessarily forced and, when applied to the trafficking frame, typifies the subject of trafficking as female and prostitute (Doezema, 2010: 119). As Doezema (2010: 168) explains,

“As a direct descendant of white slavery, trafficking in women cannot so easily shake off its inherited shape. In international law, in national law and in popular discourse, trafficking in women has meant prostitution. As events [in the trafficking negotiations] showed, it is not easy to displace this genealogy, to make trafficking mean something new”.

This close conceptual link between prostitution and trafficking, however, also served to manufacture and sustain division over prostitution's causal role and consequential effect on trafficking. Perceived as violation, Radical feminists regard the relationship between prostitution and trafficking as responsible for generating the trade in trafficking, initially as 'white' and latterly as 'modern' day slavery. As noted for this forced migration, if prostitution is held to be a causal factor in trafficking, then the abolition of prostitution becomes key to eradicating trafficking for sexual exploitation (Outshoorn, 2005). In the opposing and contrasting pro-choice in sex work stance, women's legitimate choice of labour, and their regulatory positions as 'madams' and 'maids', makes them neither

trafficked nor traffickers in a globalised sex industry. As Munro (2006) astutely observes, this rift over consent has perpetuated space in which the two conflicting ideologies can compete. The Protocol accommodates the competing ideologies of consent in one of two ways. Firstly, it recognises autonomy for adult consent, and removes the notion of consent only when duress or force has been applied to an individual's choice (UN, 2000: Article 3b). Secondly, and in spite of an international display of cooperation in trafficking, the Protocol endorses individual state jurisdiction in the contested arena of prostitution (UN General Assembly, 2000, Report of the Ad Hoc Committee: Interpretative note, article 3: 64). Doezema (2010:155) critiques the Protocol on the second count, describing the consequence of this contradiction as enabling the "vagaries of consent" to steer policy implementation in one of two distinct directions, either compounding women's harms or championing workers' rights. A brief examination of UK governance will now show how domestic thinking on prostitution spearheads a harmful policy response to national women's rights, which engulfs both women migrants in sex work, and women trafficked into the UK for sexual exploitation.

The UK ratified the international trafficking Protocol in February, 2006, the Council of Europe Convention in December, 2008, and implemented an NRM in April, 2009. However, its prostitution policies negate a sex work platform of legitimate and consensual labour involving free choice (Home Office, 2004b; 2006a; 2006b). According to Scoular and O'Neill (2007: 766), the narrative of a female victim sexually exploited through prostitution is

"a definition that is pivotal to the forms of governance that the Home Office seeks to promote, through the politics of prostitution control".

Despite having never constituted an offence in the UK, historically prostitution has been heavily regulated through a variety of agendas aimed at controlling the practice. These regulations can broadly be linked to platforms on sexual disease (The Contagious Diseases Acts, 1864, 1866, 1869), morality and public nuisance (Wolfenden Report, 1957; Street Offences Act, 1959), harm reduction affiliated with HIV and drugs (Home Office, 2004b; 2004c), and enforcement plus support tied to exiting prostitution (Home Office, 2006a; 2006b). Each phase of prostitution control has introduced new amendments or legislations

criminalising prostitution related activity according to its agenda. Although prostitution itself remains decriminalised, women in contemporary UK society can be prosecuted for a plethora of prostitution related behaviours which constitute crime, for example, offences of soliciting, running a brothel, procuring others for prostitution, and controlling others for exploitation and gain. A policy absence of legitimacy for sex as work, and women's freedom of choice for voluntary sex work has and remains a significant feature driving the social regulation of prostitution through criminal policy.

A significant issue for agency is that, without a sex work discourse of legitimate choice, consent cannot act to distinguish or to transform voluntary sex work from gendered violence, as prescribed under the Protocol definition relating to adult consent <sup>3</sup>. More worryingly, when this singular narrative of sexual exploitation is placed within the present prostitution model of individual responsibility (introduced by New Labour), Scoular and O'Neil (2007) show how women's choice for sex work becomes actively transgressive. Agency under this model illustrates Doezema's vagaries of rights and harms, whereby women's 'choice' to exit prostitution brings policy rewards (she becomes worthy like the trafficked 'Madonna'), and women's 'choice' to remain in sex work is 'engineered' as blameworthy and sanctioned (as per the unworthy and prostitute 'whore') <sup>4</sup>. As a consequence of choosing to remain in sex work, women risk policy harms - experienced as exclusion from local welfare services, labelling as anti-social or uncivil members of society, and imprisonment through the back door of breached anti-social behavioural orders (ASBO's) or unpaid fines. This model of prostitution control easily transfers onto trafficking and migration discourse and policies <sup>5</sup>. The VOT prostitute and sex slave (like the reluctant and exploited prostitute) are eligible for rescue and protection, but the consequences of choosing agency ensnare the migrant and trafficked sex worker in similar negative treatment to the persistent and transgressive prostitute. As Agustin (2007a) explains, without the attribution of 'real' and free consent, all migrant sex workers are equated with trafficking, and along with

---

<sup>3</sup> To recap, the Protocol removes any notion of consent in children, but denies this autonomy for adult consent only when duress and force apply (Article 3 (b)).

<sup>4</sup> For full coverage of this approach as 'moral engineering', or State social control, see Scoular and O'Neill's (2007) critique of New Labour policies on exiting prostitution.

<sup>5</sup> To follow legislative elision across prostitution and trafficking, see especially Home Office publications (2004b; 2006a; 2007; 2009b).



other non-exiting subjects in prostitution, those who persist risk exclusion from welfare and support services (the trafficked from the NRM). Following Police and UK Border raids, these active migrant sex workers risk a label of 'illegal' (for trafficked women the label is one of 'undeserving'), and both groups of women face arrest for prostitution related offences, prosecution and deportation. Without the Protocol's possibility of autonomous adult consent, women victims, women survivors, and women workers in the commercial sex industry (especially visible street workers engaged in public solicitation) cannot be distinguished between autonomous sex workers in need of employment rights or coerced women in need of trafficking and asylum protection.

In bringing discussion of the prostitute subject to a close, Sanders highlights a further negative impact on males from UK policy dislocation with a globalised sex work discourse. According to Sanders (2009), the new strict liability offence in purchasing sex from a trafficked woman <sup>6</sup>, poses considerable dilemma for a commercialised and globalised sex industry. Not only is women's free consent and 'real' agency at stake once again, but the lack of distinction drawn between trafficking and migrant sex work serves to homogenise all male sex choices and sexual behaviours, as essentially deviant. This renders all men who persist in purchasing sexual services, like all women who persist in prostitution, as transgressive. When consent and force elide, women who remain in sex work become liable in their own criminogenic situation and punishment (Hester and Westmarland, 2004), and men who purchase sex alter from morally deficient citizens (candidates for rehabilitation), into sexual abusers or evil traffickers (Sanders, 2009).

In summary, dislocation in the UK prostitution agenda from broader UN engagement with consent in sex work propagates a set of 'contradictory' freedoms. Under these contradictory freedoms, women's 'consent' to exit prostitution is rewarded in the UK with social inclusion and assistance, and women's 'choice' to remain in sex work is sanctioned by exclusion from social justice (Scoular and O'Neill, 2007: 773). As a further consequence of this lack of legitimate consent to engage and remain in sex work, national, trafficked and

---

<sup>6</sup> Under the Policing and Crime Act (2009:c.26), "paying for sexual services of a prostitute subjected to force" is a strict liability offence, i.e. clients will be prosecuted even if unaware that force has been applied).

migrant sex workers living in the UK face policy harms in the guise of increased vulnerability to unfair labour practices and / or increased exposure to Criminal Justice policing and regulation of prostitution related movement and activities.

### ***7.3.2 The effects of dislocation on the marriage subject***

A second key dislocation crossing international and UK terrain concerns forced marriage in the context of human trafficking. Whereas the political and ideological rifts surrounding trafficking, prostitution and consent are firmly embedded in trafficking analysis, engagement with marriage is a key theme arising from the empirical data. As living subjects of forced and fake transnational marriages, many of my women participants felt a marriage gap in trafficking policy, and alerted this researcher's interest to the divisions, justifications and consequences of this lack, for 'women like us'.

#### *Divisions*

The interpretative notes of the travaux préparatoires contain details of the discourse over marriage, which shaped the Protocol text. As outlined in the eight sessions addressing the Protocol, division did not revolve around the nature of marriage and its relationship to exploitation. A recognition of exploitation through the practice of marriage was already enshrined in Human Rights law championing both an end to slavery and violence against women <sup>7</sup>. Similarly, the Human Rights Caucus against violence towards women had established pre-Protocol links between trafficking and forced marriage – both as a method of recruitment for trafficking and as an outcome of the trade in human beings (UN Economic and Social Council, 1997: IV).

Similarly, according to the Protocol records, division over marriage did not engage with the performance and parameters of acceptability across cultural marital practices: For example, bride price (Kenya), bride kidnap (Afghanistan, Ghana, Serbia), inheritance or marriage to a deceased's brother (Africa),

---

<sup>7</sup> Key amongst these are the:

Slavery Convention (1926) – signed by the UK on 7<sup>th</sup> December, 1953; the Universal Declaration of Human Rights (1948) – adopted by the UK on 10<sup>th</sup> December, 1948; the Supplementary Convention on the Abolition of Slavery (1956) - signed by the UK on 30<sup>th</sup> April, 1957; and the Convention on the Elimination of All Forms of Discrimination against Women (1979) – signed and ratified by the UK on 3<sup>rd</sup> September, 1981.

marriage facilitating female genital mutilation (Ethiopia), ritual enslavement (Ghana, India), or other servile marriages <sup>8</sup>.

Essentially, the Protocol negotiations diverged over the purpose of trafficking activity and whether there should be a neutral end purpose of trafficking (that is, one that did not state the intent for which the person was trafficked – Doezeema, 2010). As part of these deliberations, delegations vied for particular amendments, as in a naming of all the different forms of exploitation in an end purpose of trafficking (UNODC, 2006: 344 note 30), or inclusion and naming of specific exploitations, as in forced labour and forced marriage. As indicated in the Secretariat's notes at the fourth session of the Ad Hoc Committee, the Special Rapporteur on violence against women

“...suggested that the purpose of the protocol should include trafficking of persons into slavery-like conditions, in order to encompass trafficking for domestic work, forced marriages and forced motherhood, which were not traditionally encompassed under the term “forced labour” (UNODC, 2006: 334 note 1).

As per any and all deliberations of international treaties, Doezeema (2010: 114) observes that the principle task of the intergovernmental Ad Hoc Committee was one of

“achieving consensus amongst delegates on the wording of the text, in order that the largest number of states would be able to commit themselves to be bound by the final document”.

To this end, the text finally adopted by the General Assembly endorsed a broad wording of “slavery and slavery-like practices”, as per recommendations made by the Special Rapporteur, and inserted a failsafe through the caveat of “at a minimum”. This failsafe operated to include, via implication, any “unnamed or new forms of exploitation” into the Protocol's existing definition of trafficking and package of trafficking protections (UNODC, 2006: 344 note 30). Consequently, at an international level, marriage was profiled as a trafficking exploitation under servitude, slavery and practices under slavery. The caveat of at a minimum

---

<sup>8</sup> For a typology of forced marriage, see UN General Assembly (2007: C28)

advanced the future recognition and adoption of 'marriage in a context of trafficking', endorsed in the European Union Directive (2011).

### *Consequences*

The criticality driving inclusion of forced marriage, in the context of trafficking, principally concerned the Protocol's package of protections. Under the international Protocol, women with experience fitting the Protocol definition of a VOT gained access to these long awaited provisions. As stated in the Special Rapporteur on Trafficking Report (UN General Assembly 2007: F46),

"Part II of the Palermo Protocol provides States with an obligation to provide assistance and protection to trafficked persons. Persons subject to forced marriage, when such marriage has taken place in a trafficking context, are entitled to this assistance in addition to any provided to them as victims of forced marriage. They should not be treated as criminals".

This centrally connects to concerns, raised by women participants, of their perceived unequal treatment and discrimination compared with women trafficked outside of marriage. Whilst these women were hugely appreciative of domestic violence and welfare services available to them as abused spouses, they resented governmental failure to provide trafficking recognition and protection for themselves, and their children, particularly around immigration status. Undocumented women, threatened by husbands and in-laws with being reported to the authorities, feared being sent back home without their children. Women also feared the effects that family breakdown and any detention and removal might have upon children left behind in the break up (Independent Asylum Committee, 2008). In being classed as DV victims (as opposed to VOTs), these women felt divorced from policy protections afforded to women claiming asylum or trafficking residency permits. In their enhanced vulnerability to deportation harms, including trafficking and smuggling 're-foulements' (official language for a repeat experience), these women were left to feel 'illegal', 'caught out' and, ultimately, cast out.

As a result of exclusion and unawareness of their entitlement to trafficking related assistance, women found themselves dependent upon the support of overstretched projects and underfunded charities, especially once the threat of

spousal violence had been managed. This had an additional effect of making many women feel their experiences had been normalised with those of non BME women and national subjects of domestic violence. Women felt sold short, believing that abroad, elements of their trafficking stories within marriage would have triggered some trafficking recognition. Whilst this cannot be put to the test, the absence of marriage from the UK trafficking discourse is noted by Stepnitz (2009) and Barry (2010), and contrasts with the visible presence of forced marriage and trafficking on a UN policy stage<sup>9</sup>. In researching women's stories for the act, means and exploitation inherent in establishing 'a trafficking context', it would appear that many of these women were ultimately disadvantaged and excluded from rightfully accessing trafficking related protections and provisions. In the UK's additional absence of a specific criminal offence of forced marriage, these women were doubly disadvantaged under a UN lens advocating access to trafficking protections and assistance, 'in addition' to any services for the victims of a forced marriage (UN General Assembly, 2007: F46).

### *Justifications*

So how do we explain this dislocation with international governance? One possible explanation resides in UK perceptions of forced marriage as an honour based social system (Brandon and Hafez, 2008), with practices of BME domestic violence, honour killings and forced genital mutilation also falling under its umbrella (CSC Report, 2010). Although there are multiple patterns and motives behind a forced marriage, the pioneer report into forced marriages identified honour as the common denominator across all types (Home Office, 2000; Samad, 2010; FMU, 2011). As scholars of forced marriage concur, the term 'honour' embraces a living code of conduct governing sexuality (both male and female) and reproduction of traditional family patterns and communities (Samad and Eade, 2003; Macey, 2009; Samad, 2010). Providing a description of how the code works, Samad (2010: 200-201) explains how "honour comes into play when a formal [marriage] agreement is reached" and put into place; "violence or the threat of violence comes into play when issues of honour are at stake" [as when a party breaks with carrying through the agreement]; and lost honour (in reputation, business and community) is restored when control is

---

<sup>9</sup> As example of trafficking in marriage, see the two Special Rapporteur Reports (UNESCO, 1997; UNGA, 2007) and the UN (2009) Expert Group Report for trafficking in child marriage.

regained over familial power and structures. Control is usually regained by applying force - psychological or physical - to ensure compliance with the marriage agreement, and when a death results, the act becomes an 'honour killing'.

Historically, this social system built on ideas of honour, cultural, ethnic and religious separation from the host society has engendered a non-interventionist approach from governance around marriage and family. Despite UK endorsement of international Slavery and Human Rights laws protecting women in marriage (see footnote 7), this translates in national governance to the equal right of men and women to marry and start a family; to do so legally (minimum age of sixteen); and of their own free will <sup>10</sup>. As Macey (2009: 77) observes for UK regulation of marriage policies,

“A...loophole with extremely far-reaching consequences is the fact that marriages conducted outside the UK are generally recognised here, provided that both parties have the legal capacity to marry”.

The motivations driving a forced marriage - safeguarding family wealth, suitable partners for marriage and procreation, reproducing cultural and religious traditions (Home Office, 2000) - are treated as private and culturally sensitive matters, providing the marriage is age appropriate and consensual. There is no overlap with trafficking, either for spouses brought in to the UK for servile marriage (Stepnitz, 2009) or for a spouse who comes to the UK as a result of a forced marriage (Sharp, n.d.). Commenting on brides as the unidentified victims of trafficking, Poppy Coordinator Abigail Stepnitz, stated in interview

“...these are women, who are exploited in the UK, and it's the British Government who have failed to protect them from British Citizens, by and large, who are harming them”. (Stepnitz, aired 20. 04. 2010).

The Forced Marriage Unit addresses forced marriage in a singular context of honour systems and violence, and actions a forced marriage when consent is void (FMU, 2011). Adding the 'vagaries of consent' - visible in fake marriages (Khanum, 2008) and “coercion [recognised] in hindsight” (Samad, 2010: 201) –

---

<sup>10</sup> Key UK legislation: Marriage Act (1949); Matrimonial Causes Act (1973); UK Human Rights Act (1998)

into the equation, impedes official response in an already intricate process of honour, cultural and human freedoms.

The UK honour related perception of forced marriage leads to a second potential catalyst in understanding the separation of forced marriage from a trafficking context. Although the practice of forced marriage occurs across a range of cultures, official perceptions and trends reify it as a South Asian problem. Following UN and UK immigration focus on the Indian Sub-Continent, forced marriage and honour violence have become synonymous with a South Asian diaspora. Releasing statistics compiled for the first nine months of 2008, the FMU handled in excess of 1,300 alleged cases of forced marriage (HM Government, 2008: 5). In a breakdown of the full 2008 figures, the largest percentage of reported cases concerned the Pakistani community (57%), the second largest, the Bangladeshi community (13%) and the fourth largest, the Indian community (7%) (FMU, 2008). The third largest is recorded as UK / Unknown (11%). To this end, the UK Forced Marriage Unit operates satellite offices in India, Pakistan and Bangladesh (FMU, 2011), despite evidence of the phenomenon across a range of ethnic communities and faiths (Hester et al, 2008), and overlooking the context of an extensive South Asian community within the UK (Foreign and Commonwealth Office et al, 2007).

Such a sharp focus on the Indian Sub-Continent engenders perceptions, amongst South Asian communities, that any governmental regulation of marriage amounts to racial interference and displays Islamophobia (Samad and Eade, 2003; Wilson, 2007). External governance in marriage is further resisted due to official reliance on consent, as the arbiter between arranged and forced marriages. This arbiter, supported in the right to choose principle of the Home Office (2000) Report, is critiqued for dismissing the continuum and degrees of agency that characterise the marriage game (Samad, 2010).

Whether in recognition of multi-cultural difference (Macey, 2009), or fears of racist and Islamophobic claims (Eade and Samad, 2003; Wilson, 2007), a national consultation rejected the criminalisation of forced marriages as unenforceable in practice (FCO et al, 2006). Instead, the UK introduced a Forced Marriage (Civil Protection) Act in 2007, allowing a third party to request a forced marriage protection order safeguarding a 'victim', and supplementing

the prosecution of a forced marriage under a range of existing criminal laws including trafficking <sup>11</sup>. However, this decriminalisation severs links with the Protocol, which exists as a criminal instrument for combatting marriage exploitation in a context of 'servitude', 'slavery and practices similar to slavery'. This divide has increased with subsequent EUD resolution on marriage as a trafficking exploitation. Consequently, a spouse who arrives in the UK as a result of a forced or fake marriage (as many participants had) becomes the subject of immigration scrutiny (as opposed to trafficking protection) when the marriage publicly breaks down. Recent UK governmental interest in raising the age limit for sponsoring a spouse (from eighteen to twenty one), only embeds official perceptions of forced marriage policy responses, as requiring and responding to stricter immigration controls (Hester et al, 2008).

In terms of immigration related policy harms, focus group women and several NGOs raised one way in which women subjects of transnational marriage have universally and routinely faced disadvantage from domestic violence guidelines. A discriminating principle in the Domestic Violence concessions for indefinite leave to remain <sup>12</sup>, features in the need to supply credible evidence of marital break-down, on grounds of DV, before the end of their immigration term (289A (iv)). This requirement is a wholly unrealistic one for transnational women controlled by abusing husbands and in-laws, and who are denied access to

---

<sup>11</sup> Options available include:

Trafficking for labour exploitation (slavery) or organ harvesting - Asylum and Immigration (Treatment of Claimants) Act (2004): Section 4, Chapter 19.

Trafficking for sexual exploitation - Sexual Offences Act (2003): Section 57, Trafficking into the UK; Section 58, Trafficking within the UK; Section 59, Trafficking out of the UK.

Holding in slavery, servitude, forced or compulsory labour – Coroners and Justice Act (2009): Section 71.

<sup>12</sup> Home Office and UK Border Immigration Rules, Part 8:

289A. The requirements to be met by a person who is the victim of domestic violence and who is seeking indefinite leave to remain in the United Kingdom are that the applicant:

(i) was admitted to the United Kingdom for a period not exceeding 27 months or given an extension of stay for a period of 2 years as the spouse or civil partner of a person present and settled here; or;

(ii) was admitted to the United Kingdom for a period not exceeding 27 months or given an extension of stay for a period of 2 years as the unmarried or same-sex partner of a person present and settled here; and

(iii) the relationship with their spouse or civil partner or unmarried partner or same-sex partner , as appropriate, was subsisting at the beginning of the relevant period of leave or extension of stay referred to in (i) or (ii) above; and

(iv) is able to produce such evidence as may be required by the Secretary of State to establish that the relationship was caused to permanently break down before the end of that period as a result of domestic violence.

289C. Indefinite leave to remain as the victim of domestic violence is to be refused if the Secretary of State is not satisfied that each of the requirements of paragraph 289A is met.



GP's, hospital doctors, social workers or refuge providers - witnesses recognised in statute as credible in proving their legal case.

In summary, it would appear that participant's perceptions of receiving a discriminatory service have foundation in UK policy application. Despite the statutory advances of a Forced Marriage Unit (2005) and a Forced Marriage (Civil Protection) Act (2007), UK governance reflects Mayer's (1995) claims of separation between State legal systems and international precepts governing the human rights of women and children. As participant women observed, GEO explanations and policy responses missed the harmful effects of discrimination, particularly when involving BME women and perceived notions of tradition and practices surrounding family and marriage<sup>13</sup>.

#### **7.4 A woman's role in trafficking: Questions of agency and transgression**

The disharmony surrounding definition and governance permeates through to the discourse on women's role in trafficking: the nature and extent of women's involvement in trafficking (7.4.1), and more especially how to explain and treat it (7.4.2).

##### ***7.4.1 Every woman is not my sister***

Given the growing complexities of trafficking in a globalised world, the kidnapping of women by unknown, middle-aged and violent men, for prostitution, is becoming an increasingly out-dated stereotype (Surtees, 2008). So too is kidnap which, ever present as a 'modus operandi', is giving way to a spectrum of trafficking activities encompassing 'softer' emotional controls and existing relationships between recruiter and recruited (Surtees, 2008; ATMG Report, 2010). Supporting movement away from this imagery, the IOM database (which monitors trafficking activity in seventy eight countries), estimated the percentage of female recruiters in 2006, at forty two percent (UNODC, 2008, n.p). A further analysis of female traffickers in Italy, provides evidence of women's presence beyond recruitment (20%), into traditionally male crime groups of transporting (17%) and controlling victims (21%) (UNODC, 2008, n.p).

---

<sup>13</sup>Tyldum (2010: 1-13) provides a counter-argument to expanding the trafficking frame to cover and protect growing categories of vulnerable and exploited persons, as in marriage migrants and child soldiers.

Olimpiya's story complements an emerging trend in female recruiters operating within Southern and Eastern Europe (Surtees, 2008). Olimpiya described being befriended by a Moldovan woman with the promise of more lucrative casino work in Bosnia Herzegovina. Being unable to accompany her on the journey, the Moldovan friend arranged for Olimpiya to be met by her 'boyfriend', who "sold" her on, for 350.00 Euro, to a Russian woman operating a brothel from home. After ten days, she relayed being "sold to another house", and then another. Olimpiya said of this process and her Russian captor:

"Oh, yes! That woman, she know what she's doing and she's buying cheap and selling twice price - you understand? Yes? Like agent. Like you buying matches for ten pence and selling for thirty pence. Yes, that's the thing, that's what she did. She then sold me on so I can be money, for sex of course. Of course she knew! She knew! Womans is in between! Between the men, it's all womans." (Olimpiya)

Similarly, Tijana's experience accords with UNODC (2008) findings for a fuller role played by women traffickers in Italy, across the spectrum of trafficking related activities. 'Recruited' by an Italian woman, Tijana was bought from her guardian and 'transported' from Nigeria to Italy, where she remained under the woman's 'control' and as a prostitute, until being singled out for a second recruitment and transportation. The second woman (a German national operating in Rome), handled Tijana's subsequent re-foulement. The second female trafficker recruited her, arranged forged travel papers, and accompanied her from Italy to the UK, before handing her over to a couple (one of whom spoke Nigerian) in Leeds train station.

This finding for women's role in trafficking applies to movements involving forced marriage. Given that marriage is often aligned to women's work (Samad, 2010), it is perhaps less surprising to find a principal role for women within transnational marriage arrangements. Nonetheless, Zara and Davina identified key roles played by women in orchestrating their forced marriages. For Zara, it was her paternal grandmother (assisted by Zara's uncles) who selected her as bride and negotiated the terms and conditions of her forced marriage (transporting her by plane for a marriage ceremony in Pakistan). According to Zara, her grandmother maintained control over her by removing her passport

and threatening to detain her indefinitely in Pakistan, if she persisted in rebelling. For Davina, it was her mother-in-law (assisted by her father) who were the major players behind her false marriage to a disabled partner. After marriage, her mother-in-law arranged her travel to the UK, living arrangements and employment as a seamstress in a local factory. Davina explained that her sister-in-law acted as an overseer, preventing any unsupervised communication with non family members both at home and at the sweatshop, enforced through domestic violence within the home.

In comparison, there was no discernible role for women in either Neeta's or Survivor's marriages. In fact, Survivor's trafficking experience closely conformed with established male trafficking techniques – her fiancé offering her a promise of marriage, in order to recruit and convey her into the UK for work as a prostitute.

#### ***7.4.2 Weighting the Scales of Justice***

Whilst such participant stories showcase a gendered, pro-criminal role for females in contemporary trafficking activity, its complex and multi-dimensional nature resists easy notions of voluntarism and criminality on the part of VOTs. As Pheterson (1996: 18) states:

“women may at times be victimised in their quest for greater agency and, at other times, be compelled to take transgressive initiative in their attempt to escape constraint”.

On one hand, research depicts women's risky use of agents and traffickers to aid migration for better paid work (see chapter 5) and, on the other, records women's recruitment of others, in order to secure their own replacement and escape (Murray, 1998, Surtees, 2010). In the midst of this, Viuhko (2010) observes how difficult it is to establish the motives of legally and semi-legally employed intermediaries, who may inadvertently be facilitating trafficking in their role as travel agents, telephone operatives, restaurateurs and landladies. Earlier thesis' chapters have raised the nexus and frequent interchangeability across trafficking, smuggling and migratory population flows – where women's initial actions bear little connection to their end involvement or predicament. All of this carries dilemma for law enforcement vested in the premise that victims of

trafficking (especially women) are innocent, deserving and passively 'done to' persons, in need of protection and rescue.

In respect of women law breakers, economic crime poses its own challenge for feminist analysis, both outside and inside the context of trafficking. In its broadest conceptualisation, economic crime is understood as bringing benefits and gains for the offender, and is typically theorised in terms of rational and free choices. Drawing upon Home Office classification (Davies, 2003), women's economic offending is officially positioned under acquisitive crimes. Typically, these embrace prostitution, welfare fraud and forgery, theft and handling stolen goods, and tread a fine criminological line between need and greed. As Davies (2003: 292) notes, an under-theorising of agency in explanations of crime sustains the classic division in women's role as "passive victims or gangsta bitches", or as split between a need for drugs, (May et al, 1999; Home Office, 2004c) or profit (May et al, 2000). Feminist research undertaken into sexual agency and socio-economic structures pose a peculiar challenge for clear criminal categorisation. For example, research by O'Connell Davidson (1998) and Phoenix (1999) disclose how for some, prostitution means taking control of a particular situation – a background in care, unsatisfying domestic arrangements, a history of sexual abuse. In the same way, costs to personhood defy easy quantification and economic classification. As revealed in the Prostitution Papers (Millet, 1970), J's debt driven journey through prostitution had little to do with selling sex and everything to do with selling her soul – the ultimate cost being to her relationship with men. Similarly, gains can take a myriad of forms, both financial and non-economic<sup>14</sup>. The feminist lesson is one of room for the possibility of being a victim and space for transgression, dependent upon the individual circumstances.

Women's transgression between survival and agency is pertinent to feminist analysis of supply and demand in human trafficking (see chapter 5). As scholars observe and lived experience supports, an individual's desire to migrate can be driven by higher salaries and self-improvement (Neeta, Ayse, Davina, Olimpiya) or by financial emergencies triggered by death, divorce, illness and societal

---

<sup>14</sup> For discourse in financial gain, see Carlen, 1992; for profit in drug supply, see Miller, 1995; for gains in status and standing, see Batchelor et al, 2001; and for gains in reputation, see Burman (2003).

breakdown (Sofia, Tijana, Survivor, Ikra). Clear boundaries merge in the knowledge that women action migratory movements, both by legal means and complicity with traffickers, sometimes consciously choosing and other times tricked into options. As depicted in earlier chapters and settings, women's pathways and their interpretations of victimhood and agency, are differently experienced, at different times, by different women. It is this complex fudging of desire, frustration and survival, linked to economic push and pull factors in globalised sex and labour markets, which present problems for professional interpretation and consistent decision making regarding women's place in trafficking.

This whole question of whether or not women 'mean to do crime' was a central feature in professional perspectives and comprehension of trafficking victimhood and agency. In a topic, where expectation naturalises NGOs with 'soft' qualities, and GEOs with robust views, the following quotes show the emotion and consternation posed for professionals by women's 'complicity'.

"With consent always comes that whole issue of how much coercion, duress and other pressures was the woman under, and that should be taken into consideration much more than it is at the moment. The saddest cases are ones where the victim becomes a perpetrator - I don't think that's a simple transition. What they have experienced is bound to have coloured what actions they take in the future. It may be that they have recruited others because they can't do anything else. Even when people profit from the situation, the question becomes how did they arrive in that situation". (GEO 4)

"Trafficked women aren't all nice and they don't always do it for their kids, however much you want to believe that. Some of the ones I've dealt with are very angry and aggressive women". (NGO conversation with a non participant)

The 2005 Convention on Action against Trafficking in Human Beings universally points anti-trafficking policy and practice responses towards a non punishment principle. This non punishment clause states

“Each Party shall, in accordance with the basic principles of its legal system, provide for the possibility of not imposing penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so” (Council of Europe, 2005: Article 26).

Hansard (2009: 125WH) records the CPS response to this governing principle, as one of support for waivering prosecutions, when law breaking is premised in trafficking. However, Government (and government agents) retain the right to a final decision based on individual case merit.

“Just because someone’s been trafficked or may have been trafficked doesn’t excuse them if they’ve committed a crime. It’s not a carte blanche. I killed someone, but I was trafficked, so I’m not guilty. It needs to be taken into account, as forming mitigating circumstances, but it doesn’t necessarily mean that they shouldn’t face justice.” (senior GEO 2)

This avenue permitting a criminal prosecution leaves women vulnerable to the combined political agendas from criminal justice and immigration systems, resulting in double criminality and double punishment. This was clearly visible in the case histories of Sofia and Tijana. Although elements of having been trafficked were raised for both women, Sofia was remanded in custody pre-hearing, sentenced to a term of imprisonment, and held in post sentence detention while awaiting deportation to Moldova. Sofia was doubly liable, firstly for conspiring with suspected traffickers to break the law by paying for forged papers and, secondly, for crossing international boundaries as an illegal immigrant. Similarly, Tijana was detained in police cells following arrest, fast tracked through court, imprisoned, and kept in post custodial detention as an illegal immigrant. Tijana was also doubly liable, firstly for conspiring to enter the UK with false papers and, secondly, for committing fraud for her traffickers. In the absence of robust criminal justice and Border Agency support for non-punishment, women’s realities live out this double indemnity. Available UK data on prosecutions (whilst partial) support the fragility of protections afforded to UK victims under the non-punishment principle. For example, the ATMG Report (2010) documents seventeen arrest disclosures on women (nineteen on men), for trafficking offences in the period between April, 2009 and January, 2010. Whilst arrests were made under the Asylum and Immigration (Treatment of

Claimants) Act, 2004 and the Sexual Offences Act, 2003, convictions were mostly secured against women on grounds of prostitution related activity, and for assaults.

UK governance of the non-punishment principle is heavily critiqued by the ATMG Report (2010), and evidences further dislocation with international recommendations over human rights and human trafficking. The non punishment principle weighs the legal validity of a prosecution case against an ethical duty of care to victims involved in trafficking related crime. As noted in their report, international guidance espouses an unequivocal non criminalisation platform when dealing with the victims of trafficking. Under a Human Rights lens on Human Trafficking, the practice of charging, prosecuting and imprisoning VOTs for illegal entry, and other unlawful activities connected with their trafficking, is actively opposed. Had this Human Rights lens been applied to Sofia and Tijana's cases, both women would have been spared a secondary victimisation dealt by the UK legal system.

In spite of this legislative division, the presumption against prosecution is not wholly without progress in the UK. There is broadening consensus, albeit based on fiscal grounds and public interest, against taking defendants to Court over minor trafficking misdemeanours and low level violations (senior GEOs 1, 2 ,3 and GEO 6). However, a recent directive circulated across CPS and UKBA staff (CPS, 2010), also cautions against court proceedings, where defendants present as less than fully 'credible' victims of trafficking. These changes could appear piecemeal and palliative to professionals and women alike; especially where less stalwart applications for VOT residence permits and compensation could be harmed due to the closure of a police investigation (NGO 4 and senior GEO 2).

## **7.5 Opponents of the trafficking frame**

Finding a way of handling women's role, in a social phenomenon subject to the demand and supply needs of transnational markets, is a complex professional and research challenge. As trafficking practices affirm, clear boundaries are fraught with elisions across migration, trafficking and smuggling. People who cross boundaries and migratory flows will variously exercise freedom of choices and demonstrate requirements for criminal protection and humanitarian

assistance. Women's uneasy and precarious positioning within agency and structure, poses additional dilemma for ethical treatment, as women participate in recruitment, transportation, provision of documents and services, control of victims and cashing in from illegal and semi-legal activities. Using women, as the exemplar of abusing and abused subjects in transnational forced marriages, one NGO voiced the challenge for policy in this way.

"Women bear the brunt of non-compliance. Is this enforcing patriarchy? They may be enforcers of their daughters' sexuality, and they may have abuse perpetrated on them, resulting in rape or killing, because they are seen as creating imbalance in society... There are influences of geography and culture to factor in, but her compromise may secure future alliances, on which generational wealth and quality of life can depend for many she cares about". (NGO Information officer).

The following GEO comments convey cognisance of the benefits brought to policy responses by stakeholders, in the shape of broader, multi-dimensional approaches.

"The NRM framework is designed to ensure that experts such as NGOs are able to input all their expertise, all their knowledge to the decision makers. So that it isn't just someone from the UKBA going away and looking at the file and saying, well, there's not much here. I just don't believe that. I'll refuse it. It is intended to provide the framework for valid two way or multi way communications between the various agencies". (senior GEO 2)

"NGOs have a point when they say we know so much. Why is someone else making the decision?...Our intention is that this [the NRM] should be a multi-agency framework...it's national, it involves a lot of agencies and it's made a difference. For example, it's raised the profile and diverse forms within trafficking enormously". (GEO 6)

The inability of the trafficking frame to accommodate the groundswell of difference and interconnection within contemporary journeys, has led researchers of human movement to describe it as 'limited' (Bastia, 2005), and



even 'useless' (Agustin, 2007b: n.p.). Reflecting on women's varied movements and choices in sex work, Agustin announced

"Trafficking, in my opinion, is a useless frame" given its use by "organised crime, states and the diversity of people using it..."

Aligned to this inability to reflect the nature and scope of modern day trafficking, researchers have expressed preference for the concept of a trafficking continuum. Unlike the trafficking frame, a continuum has capacity to reflect complexity across a number of aspects aligned with trafficking activity and movement. Anderson (2007) employs a continuum to reflect the degrees of exploitation in trafficking, ranging from acts which facilitate the traveller to armed aggression. Skrivankova (2010) adopts the idea of a continuum to expose the difficulty in establishing employment practices as labour exploitations. Samad (2010) deploys continuum to illustrate the range of practices between arranged and forced marriages. Surtees (2008) engages the notion of continuum to capture the range of contemporary trafficking controls, from relationship to kidnap, and to cover the extent of trafficking activity, from singular recruitment to serious and organised crime syndication. Agustin (2005b: n.p.) implies a place for continuum in the dichotomy of 'place' as "*home* (which you loved and were forced to leave) pitted against *your new country* (which is not yet home but which you don't want to be deported from)".

The concept of continuum carries particular benefits for feminist analysis of survival, agency and transgression under patriarchy. Already celebrated in domestic violence literature, for challenging artificially constructed duals of survival and victimhood (Mahoney, 1994; Kelly et al, 1996), the continuum has freed discourse for seeking women's agency under other oppressive practices, such as veiling (Khan, 2007) and migrations (Tacoli, 1999). Transported onto trafficking terrain, the dynamics in women's well-being opportunities, agency freedoms and structural constraints in trafficking, are similarly unlocked to surface and coexist. Commenting on the evolutionary nature of the trade in human beings, Surtees (2008: 61) claims value in a trafficking continuum for the development of CJS policy responses.

"Traffickers are regularly responding and adapting to the social, economic and political arenas in which recruitment and trafficking take place, which

makes it imperative that anti-trafficking actors are equipped with detailed and up-to-date information about traffickers and their activities. This requires increased attention to how different criminals and criminal organisations operate along the trafficking continuum and across time, informing us how to tackle this crime in an effective and strategic way”.

Based upon richer sources of knowledge in contemporary trafficking movement, scholars critique the one dimensional serious organised crime frame for failing to keep pace with research findings for the evolving, multifaceted and socio-economic character of global trafficking. In consequence, feminist scholars lead the call for replacing the existing crime trafficking frame with a more versatile frame on migration (Agustin, 2005a, 2010; O’Connell Davidson, 2010b; Tyldum, 2010; Berman, 2010). As campaigned for tirelessly by Agustin,

“A migration framework allows consideration of all conceivable aspects of people’s lives and travels, locates them in personal periods of growth and risk-taking, and does not force them to identify as sex workers [or by other chance or temporary occupation]” (Agustin, 2010: 27 and Agustin, 2005a: 113).

This challenge accords with the conclusions of the last chapter – tasked with presenting the empirical learning gained from researching the movement and experience of living subjects.

## **7.6 Chapter conclusions**

This chapter set out to explore two areas of policy dislocation, namely prostitution and forced marriage, and to examine the reasons behind them, as well as their consequences for women living in the UK. The Protocol’s need for international legitimacy resulted in an acceptable compromise over forced or free prostitution (recognised in adult consent), as well as agreement of what did and did not qualify as a trafficking exploitation (exampled by inclusion of forced marriage both within ‘practices similar to slavery’ and via an open ended purpose to trafficking). This chapter focussed on the harmful effects for trafficked women living in the UK, contained in the Protocol’s right to domestic governance in these two areas.

Analysis of prostitution governance within the UK has raised a legacy of State control and criminal justice regulation through agendas of disease, public morality, harm reduction via drug programmes and, most recently, enforcement with support. This newest re-working has engineered a contradictory set of freedoms revolving on an axis of consent. Under contemporary governance, a woman's consent to exit prostitution is rewarded with state assistance and social reintegration, whilst her consent to remain in sex work labour carries exposure to criminal justice policing and sanction. Transference of this UK lack of a sex work discourse, to the discourse on trafficking and migrations for sex, has brought harmful consequences. Trafficked women exhibiting agency in sex work risk being perceived as 'undeserving,' which reduces their chances of referral to the NRM, and opens their movement and activities to official scrutiny. Similarly, migrant sex workers are left unprotected against exploitative and criminal labour practices, simply due to their choice of work.

The absence of forced marriage from a UK trafficking context has also been explained via the development of forced marriage as an honour based system of violence, and its erroneous correlation with an extensive South Asian diaspora within Britain. This has been argued as inhibiting a strong Human Rights' response from government, fearing allegations of racism and Islamophobia from community groups. Women participants raised the marriage disadvantage, in failing to receive either trafficked or forced marriage protections and assistances - despite the UN General Assembly (2007) ruling that women in their situation were entitled to receive both. Women raised additional disadvantage brought by a normalisation of their experiences with non BME women. Participating women spoke particularly of their inability to 'prove' domestic violence during the marriage, since husbands and in-laws denied them access to 'credible' witnesses, officially named as GP's, health workers, police, and rape agencies. Consequently, women panicked over being deported without their British born children, and dreaded the effects of any enforced separation on children left behind.

A final and significant dislocation emerged between international recommendations over human rights in human trafficking and UK governance of the non-punishment principle. Women's stories highlighted not only women's victimisation, but also women's role across trafficking crime groups and their

economic gains from trafficking. The empirical discovery of pressures and gains surrounding women's engagement in trafficking complicates the UK's linear narrative of victimhood or criminal agency. For the majority of anti-trafficking professionals, women's presence in trafficking activity complicated an already controversial space for women's agency and autonomy. Sofia and Tijana bore the brunt of this via a process of secondary exploitation at the hands of the Criminal Justice System. Both women served custodial sentences and were detained beyond their earliest release dates, despite the 2008 introduction of automatic deportation for those serving twelve month sentences or longer. This is a growing deprivation of freedom, evidenced in trends showing an increased UK criminalisation of migrant and trafficked women, as well as their continued detention on immigration warrants (Hales and Gelsthorpe, 2011: 33). The clear need to learn and apply the lessons from qualitative research leads us into the conclusions of the final Chapter.

## **CHAPTER 8: CONCLUSION**

### **8.1 An overview of the thesis**

This research set out to find, appraise, celebrate and redress women's absent voices in the UK terrain on trafficking. By so doing, it has provided insight into an under researched and undervalued aspect in the trafficking discourse, that of women's agency (Salt, 2005; Brennan, 2005; Gozdziaik and Collett, 2005; Kelly, 2005; Agustin, 2010). Viewed from the standpoint of lived experience, women's stories have challenged the populist media reproductions and policy understandings of trafficking. These have reified the 'true' victim in passive and worthy victimhood and transgressively framed women's agency, as consent in their own predicament or as culpability in criminal justice and immigration rule breaking. Having researched trafficking narratives for women's own voices on identity (chapter 4), exploitations (Chapter 5) and outcomes (chapter 6), women's stories reveal agency in the form of choices, decision making, risk taking and benefits, especially around opportunities and movements for marriage, work and the chance of a better life.

In feminist recognition of women's position under patriarchy, agency within the thesis has been reconfigured in political terms. In other words, in addition to addressing the central agency / structure dynamic mediating personal freedoms with structural possibilities and restrictions (Giddens, 1984; Archer, 1995; 2000; Lister, 2004), political agency crucially grasps women's differential status compared with men. Given that men tend not only to make 'the rules', but also to enforce women's compliance with 'the rules', female agency is more fully realised when women derive the benefits of physical and economic security, and also have the capacity to define choices which affect their structural environment. In acknowledgement of this gendered political difference, the agency / structure discourse has been reconfigured in terms of women's well-being freedom and their agency freedom (Sen, 1999). This paradigm on agency was chosen for its relevance and transferability to a trafficking context. Post a trafficking episode, women exhibit immediate requirements for physical and economic security, but the essence of experience exhibits women's desire to construct choices and affect lasting change for themselves and their families. Accordingly, women's stories of agency have been explored for a combination of subjective and structural benefits and restraints, which affect both their well-

being and their agency freedom needs. In terms of well-being, participants' stories have privileged the criticality for women's welfare of trafficking measures benefiting their health, physical safety, information needs, and economic survival (through accommodation and material assistance). In terms of agency freedom – and women's ability to sustain recovery and fashion change - women's agency has been shown to reproduce female asylum and refugee experiences (Buijs, 1993; Lewis, 2007b; 2009; Hunt, 2008). Agency freedom resides in women's ability to sustain ties to their pre-trafficked persona (recreated though food, dress, roles, achievements and relationships), and in their capacity to fashion new dimensions in their social, recreational, educational, working, consumer and sexual agency.

Underpinning the entire trafficking thesis has been the contention that agency, in a context of patriarchal oppression, frequently surfaces in relationship and not in opposition to women's victimhood (chapter 2). From this feminist standpoint, women's lived agency in a trafficking context has been revealed as co-existing alongside overwhelming oppression, exploitation, abuse and hardship. It is these findings of agency, in a context defined by victimhood, which constitute the individual and distinctive contribution to trafficking knowledge and policy understanding. An illustration of the ways in which participant subjects of trafficking have negotiated power to retake and remake aspects of agency is provided in 8.2 below. This adoption of a relational lens across agency and victimhood has also contested criminal justice boundaries surrounding women's ascription of criminal agency or criminal innocence in their own trafficking predicament. The thesis' interest in women's agency in trafficking related activities, as well as their precarious position (as VOTs and in trafficking for marriage), has provided further support for women, as capable of being both the victims and the beneficiaries in human trafficking movements.

This research has been powered by a feminist desire to lead with women's voices. The reason for this was to avoid reifying women's experience in officially predetermined categorisations of passive victimhood, economic profiteering, or other delinquent and recidivist behaviours (the guilty prostitute, the illegal worker). Consequently, the thesis triangulation of women's stories to interviews with anti-trafficking personnel has connected empirical findings with official attitudes and policy, but left participants free to bring their subjective

understandings of advantage, injustice, and discrimination to the policy table (see 8.3). This triangulation has provided complementary insight of how anti-trafficking professionals actively assist and resist women's expressions of agency, within the core business of preventing and protecting trafficked persons and in their pursuit of the traffickers.

In the goal of enriching and expanding discourse beyond a simple and uncomplicated victimhood, the thesis has drawn knowledge from a variety of disciplines. It has connected with migratory, refugee and asylum insights, contemporary reviews of slavery-like practices, global economic markets, and criminal justice trends. This broad platform has produced a reciprocal return to scholars across the social sciences, applied criminal justice, gender studies, and the humanities. As example, the thesis' intersection with other gendered global movements (refugees and asylum) complements existing criminological scholarship in transnational policing and the criminalisation of migrant women (Gallagher, 2001; 2002; Shelley, 2007; Franco Aas, 2007; Bosworth, 2007; Hales and Gelsthorpe, 2011). The engagement with female economic agency and women's economic and sexual labour enriches new geographies and socio-cultural developments in mothering, migrant care chains and caring labour (Anderson, 2000; Ehrenreich and Hochschild, 2002; Kabeer, 2007; Zontini, 2008). The thesis' perspective on marriage, in a context of trafficking, contributes new sociological awareness of a gap in the scholarship on forced marriage and imported wives (Macey, 2009; Poppy, 2009; Barry, 2010; Samad, 2010).

This chapter will now proceed to pinpoint the emergent findings, focussing particularly on the empirical chapters (4, 5, 6, and 7), and their contribution to women's capacity and exercise of agency (8.2). In a spirit of feminist praxis <sup>1</sup>, the chapter will proceed to reflect women's concerns for public policy against future improvements contained in the European Union Directive (2011). In doing so, it will also raise limitations within this research and suggest areas for subsequent investigation (8.3). The chapter will conclude by highlighting pragmatic lessons for the development of good professional practices, derived

---

<sup>1</sup> As defined in Chapter 1, praxis connects research and practice and covers knowledge which mediates public policy.

from a 'wish list' compiled in interviews with anti-trafficking staff. Finally, the chapter will briefly summarise the research return to participants (8.4).

## **8.2 Contribution in knowledge building of trafficked women's agency**

The search for agency within women's stories of trafficking has been at the heart of this research inquiry.

*Chapter 2* began the search, drawing from existing theorisations and a cross section of academic and research literature to formulate an epistemological and feminist direction for the inquiry. What this exercise provided was a counter-paradigm to understanding the struggle for agency in a trafficking discourse divided over sexual exploitation. The division over sexual exploitation has constructed an enduring set of binaries between forced prostitution and consensual sex work, and between sex trafficking and other facilitated migrations, which to this day informs official ascriptions of who does and does not achieve a VOT status and associated benefits.

This chapter particularly interrogated the role of oppositional theorising in the construction of dualistic power, and with how dualistic power reproduced binaries and truths which are 'partial' and 'dangerous' to the development of trafficking knowledge outside of the dominant and single victim discourse. These binaries have been shown as essentialising the sexually exploited 'victim' of trafficking in innocence, passivity, worthiness and rescue, in opposition to their fellow and undeserving sex workers and illegal migrants. Through an examination of feminist findings for agency in other gendered and contested discourses, namely, sex work, domestic violence, Islamic veiling and female migration, the thesis acquired a working rationale for researching agency in the context of trafficking. The following precepts were combined to maximise the search for agency.

Firstly, as established by historical (Brace, 2004) and contemporary scholarship (Pateman, 1988; Kelly, 1988; 1994; 1996; Khan, 2007), women's expression and exercise of agency, under patriarchal rule, often surfaced in relationship to contexts and experiences of victimisation (Mahoney, 1994). Therefore, the application of a relational lens to researching women's agency in trafficking was deemed apposite. Secondly, as previously raised, the agency / structure discourse was reconfigured within political terms, reflecting women's



interdependent needs for well-being agency and a realisation of their agency freedom (Sen, 1999). Thirdly, since the goal of this research was to reach the voices of women with experience of the trafficking process, a subjective lens was adopted in order to reveal understanding of women's lived meanings, feelings, interpretations, benefits and exploitations in trafficking. This directed the gaze of empirical research away from ascribed or known 'facts' of a trafficking experience, and firmly onto a qualitative appreciation drawn from a lived perspective. The theoretical engagement with feminist scholarship over degrees in exploitation and injustices relating to women's human and sexual freedoms (O'Connell Davidson, 1998; 2006; Bastia, 2005; Anderson, 2007; Agustin, 2010; Skrivankova, 2010), provided a further avenue for raising agency. Together, these lessons derived from the literature created an optimal paradigm for researching diversity in experience, beyond one of an homogenising trafficking victimhood.

*Chapter 3* delivered a feminist methodology judged as capable and ethically safe for the research task of collecting women's hard to reach and hard to tell stories. It therefore utilised methods for equalising power - as in feminist qualities of investment (Reinharz, 1992); sharing (Oakley, 1981); and reflection (Humberstone, 1997). It realised methods for a co-production of knowledge through the interview as a 'practical production' (Fontana and Frey, 2000), and via the focus group as a qualitative and naturalistic research method with marginalised groups (Bryman, 2004). It has demonstrated feminist requirements of empowerment and an improvement of women's status (Kelly, Burton and Regan, 1995; Hill, 2003; Watts, 2006), by privileging women's right and need to voice their sufferings (Morris, 1997) as well as their achievements and expertise (Sered, 1992, Oakley, 1979; 1989; 1992). These feminist tools nurtured an overall focus and faith with celebrating the empirical findings, whilst following constructivist and deductivist lines of inquiry.

In order to maximise the desired contribution from women's stories (Mies', 1993, bottom-up knowledge), the methodology employed a triangulation with anti-trafficking professionals. Given the processes of reification and managerialism (Hitchcox, 1993; Garland, 2001) surrounding the organisation of social problem groupings – encouraging a 'one size fits all' approach to policy solutions - this triangulation serviced women's voices by exposing and

distinguishing the realities of official policies from women's lived meanings and lives.

Overall, it is hoped these feminist measures taken to elicit 'outsider' access to women's hidden stories (Bloch, 1999; Watts, 2006) reinforces the argument for greater participative and action research with trafficking victims – successfully deployed in research with other marginalised and disenfranchised groups like sex workers (Sanders, O'Neill and Pitcher, 2009), new arrivals (O'Neill, Whitworth Gallery, 2009) and travellers (Davis, 2000). Chapters 4 through 7, below, now detail the distinctive contribution to knowledge built from this 'outsider's' sharing in women's hidden stories.

*Chapter 4* built knowledge and understanding of agency, through the ways in which women constructed their trafficking identity, and also maintained a sense of their pre-trafficked selves. Unlike the singular and totalising construction of a VOT in official attributes of innocence, passivity, worthiness and sexual purity, women's own narratives and their performance of identity argued the case for a more complex, multi-dimensional and relational understanding of trafficking identity.

The empirical research showed how women's self-identification as trafficked did not fit or follow criminal justice preoccupations with feelings of pity (Aradau, 2004), or with the 'ideal' (Christie, 1986) or 'right sort' of victim (Jewkes, 2004) in trafficking. A significant way in which women identified themselves as having been trafficked was via their correlation to a recognised trafficking descriptor. Their choice, drawn from a range of possible descriptors, reflected the seriousness with which women regarded particular signifiers. Of central significance to women's identification as trafficked was the removal of a passport and personal papers, as this eroded women's capacity to establish any sort of independent identity.

Women's sense of a trafficked self was also forged by the processes (the act, means and exploitation) defining trafficking. Once again, a woman's choice between the act, the means and the exploitation inherent in trafficking reflected not just experience, but also the imposed level of trafficking harm. Some women conveyed their sense of being trafficked in the outrage felt for actors, transactions and payments surrounding their recruitment (Sofia). For others, their sense of a trafficked self materialised through the means by which they

were trafficked, for example, deception and use of false promises (Ayse, Tijana). For others, this sense of a trafficked self assumed the embodiment of their exploitation, as in becoming 'prostitute', and a 'prostitute slave', through debt bondage and trafficker violence (Focus group member and Survivor).

Such self-determination in trafficking identity suggested agency, as did women's voicing of personal aspirations in movement. These were variously expressed as educational ambition, the desire for independence, hopes for love and companionship, and the chance of paid work. In giving voice to these motivations, women defied the reification trap (Hitchcox, 1993) of being externally viewed only as the victims of trafficking – constructed as the 'right sort', the 'ideal', and the 'sex slave'.

A central and emergent finding in agency was the tie between a pre-trafficking persona and women's sense of well-being and agency freedoms. Like pre-exile memories, pre-trafficking identifications gave women a real and enduring sense of self beyond a trafficking experience and provided further challenge and resistance of a single and homogenising victim identity. Following the experiences of other displaced women, participants communicated a pre-trafficking persona through self-identification with prior roles and accomplishments. These took diverse form, as in professional or skilled roles (Sofia; Ikra); familial roles and responsibilities (mothers within the focus group); achievements in education (Neeta), and travel abroad (Ayse). Outward signs of a pre-trafficking persona, visible in traditional dress and reproductions of national or regional dishes, also helped to re-inscribe women's identity with meaning, culture, and freedoms forged in pre exile memories ((Buijs, 1993; Lewis, 2007b; 2009b). Such ties to home appeared vital to sustaining women's sense of freedom, in environments which appeared unwelcoming and, over which, they felt little control.

What additionally emerged from exploring identity was the dualistic properties and contradictory role of the trauma story for victims of trafficking. The extant literature had identified the dilemma, contained in the trauma story, for choosing between trafficking agency and trafficking victimhood. In telling their stories, women widely referred to themselves as victims, communicating vivid recollections and raw feelings of injustices. Significantly, their identification - particularly with the language of modern slavery and slavery-like practices -

suggested that, on some level, women had learnt the 'trafficking talk'. However, women's stories contested the normative idea of using trauma for the express purposes of gaining official sympathy and belief (Kleinman and Kleinman, 1997; Williams, 2004; Davies, 2007). For many women, learning this 'talk' had provided them with the necessary language for expressing their descent into a trafficking hell, and communicating its meaning and effects to outsiders. In the safe and supportive environment of the focus group, where women felt less pressured to choose between trauma and agency, women shared identifications mingling economic necessity with transgressive choices. These were voiced as pre-trafficking roles in a 'grey market' economy of illegal trading, sex work, self-qualified midwifery, and commercial sales of illicit spirits.

Another salient factor emerging from women's stories and professional narratives was the inhospitable climate for agency, posed by a system tasked with competing demands of prevention, protection and prosecution. The empirical findings evidenced how this dilemma between care and control created a 'hostile environment' (Home Office, 2007: 4), in which the women subjects of trafficking (and not the traffickers) often became the real casualties of criminal prosecutions and detention (Sofia and Tijana). In contrast to these negative and unintended outcomes, the empirical findings also revealed how anti-trafficking professionals 'crafted' in support of women's self-determination and agency, principally through multi-agency working and diversity affirming practices. These competing policy influences on agency connect the trafficking debate with ongoing liberal and radical justice platforms, illustrating the punitive uses of detention as forms of gendered, racialised and immigration control (Bosworth, 2007; Independent Asylum Committee, 2008; Hales and Gelsthorpe, 2011).

A final conundrum for identity was identified in women's mixed reception from community and neighbours. Accounts in the literature, warned of the dangers of revealing and claiming a trafficking identity in sensitive situations involving prostitution, entertainment and transnational marriages (Brennan, 2005; Mai, 2009). However, many women's narratives privileged the practical help and emotional support received from neighbours. In a criminal justice system charged with trafficking care and immigration control, the role of civil society requires more detailed examination for the benefits and harms of exposing

women, without proof of (and sometimes without) legal status, to official scrutiny.

*Chapter 5* built knowledge and understanding of women's comprehension of their trafficking experience, by examining the three building blocks constitutive of trafficking – consent, coercion and exploitation. Following existing scholarship on agency, the exhibition of agency was greatly assisted by applying a relational lens to each of these blocks, enabling degrees (O'Connell Davidson (2006), continuums (Anderson (2007), and shades (Agustin, 2007a) to emerge.

What surfaced in women's narratives was the complex character of consent and the different forms and types of consent this engendered. At one extreme, women withheld consent (as in Zara's refusal to say her wedding vows) and, at the other, women actively engaged the services of traffickers to facilitate their movements. Between the two, stories exhibited initial consent, constrained choices (barriers for English classes) and calculated consent (risk for perceived gains in Western marriage, job prospects and lifestyle).

Women's stories of coercion also featured counter narratives to trafficking controls as overtly criminal and involving violence (Home Office, 2011b). Forced marriage narratives often exemplified softer emotional duress, applied as love (Zara). Other less mainstream trafficking controls included duty to family (as in family honour for Zara, and a moral duty for Davina and Sofia); pressure to secure land and alleviate poverty (Survivor); and symbiotic exchange (seen in the focus group mothers' acceptance of sacrifice for their children's embetterment).

In their accounts of exploitation, women again voiced the removal of papers as one of trafficking's severest injustices. Close to it was the loss of autonomy, for creating dependency and destitution. Also keenly voiced was the removal or threat to women's rights and capacities to be mothers. The chapter argued women's experience of non-physical forms of exploitation as problematic for professionals within the GEO sector.

The focus on women's experience highlighted a number of additional lessons for praxis. An openness to degrees in consent, coercion and exploitation lowered professional resistance to the idea and purpose of agency. Truer narratives, capable of embracing aspects of victimhood and agency (present in

decision making and risk taking), connected more fully than the trauma story with women's lived experiences in trafficking. Accepting the possibility of a relational lens on movement, and cross overs in population flows, served to dismantle old and unhelpful perceptions of trafficking as existing in isolation from other forms of contemporary global movements. Indeed, the thesis' lens on trafficking, as an evolving and integral aspect in contemporary global movements is a strength claimed for this research. By comparing and contrasting trafficking experience alongside lessons in migration, smuggling, asylum and refugee movements, trafficking is deconstructed as a simple and singular discourse of victimhood and as the peculiar phenomenon of serious organised crime. In this study, trafficking is enriched by, and thus enriches, other inquiries into the everyday experiences and impacts of other global movements, economic and market forces, and state preoccupations with crime and border security (Berman, 2010; Winterdyk and Reichel, 2010; Wheaton et al, 2010).

*Chapter 6* built knowledge and understanding of types of agency. The empirical research illustrated a number of ways in which women acquire agency for themselves. Surviving a trafficking experience was unquestionably the ultimate achievement of agency and was expressed by many women as a personal accomplishment. Women's stories re-enacted Buijs' (1993) discovery of how migrant and refugee women remade and remodelled their lives in an alien society and, in the case of participant women, were assisted in doing so by NGOs with an ethos of empowerment. Women demonstrated their agency freedom in ways allied to refugee experience – as in a social and recreational life outside of the home and family. Women talked about learning 'the rules' for occupying new social spaces, exemplified in taking a bus and shopping down the market. Education and training was another avenue by which women constructed and exhibited their agency freedom. By taking English classes, for example, women were better placed to make informed choices and create further opportunities for themselves outside of the home. This was realised through volunteer work and, for the few with permanent leave to remain, paid employment. Women's engagement with the community also dismantled some of the cultural and structural barriers towards 'foreigners', as draining health and welfare benefits (Dwyer, 2004; Bloch, 2004). Women's agency freedom also

emerged in their consumer power, seen in the ability to access luxury and labour saving devices like a food processor or micro wave. As Olimpiya joyfully announced “Now I have a plasma TV and Diesel black boots”. Women’s consumer freedom appeared to be actively aided and enhanced by the existing structural conditions and practices surrounding consumption – exemplified in the anonymity of the large supermarket and the commodification of the paying customer. Women’s narratives also reflected a reclaiming of lost sexual agency, primarily felt from enhancing the physical health and sexual choices of dependent children.

The limitations to women’s full sense of agency freedom within these practices supported the thesis argument for a relational lens across agency and victimhood. Limitations to agency freedom surfaced in women’s stories of continued separation from family and loss of mothering to children back home, which lessened women’s ability to forge new lives. In this respect, although the fragmentation of families and anxieties over ‘good’ mothering is a dynamic felt, shared with, and recorded for migrant parents working abroad (Zontini, 2004; Lutz, 2008), trafficking’s enforced and often prolonged separations, coupled with an inability to deploy distance parenting strategies, left many participants feeling they had abandoned and, for some, irreparably lost their children (Olimpiya, Survivor, Ikra and many focus group women).

Limitations to women’s sense of well-being agency centred on internal movements (causing ruptures to health care, settled accommodation and trusted relationships), and focussed on the lack of public funding outside of the NRM system. In terms of reduced well-being, participant experiences’ closely reproduced those of many refugee women and asylum seekers, in finding themselves destitute and without recourse to the protections afforded by a State system of welfare and benefits (Dwyer, 2004; Lewis, 2007a, 2009a; Brown, 2008).

The empirical findings also supported the culture of disbelief met by other migrant and displaced women living in the UK (Commission on Women and the Criminal Justice System, 2004; ATMG Report, 2010). A significant finding in the anti-trafficking interviews was the pressure, felt by the GEO sector, to evidence the Convention requirements on well-being. Performance demands on GEOs to simultaneously vet, protect and prevent victims, fostered a culture of

disbelieving women and produced tension and rivalry between the GEO and NGO sectors, exemplified through differences in language and attitudes.

In line with the thesis' intent, the chapter's foremost asset for knowledge building lay in giving women the space and opportunity of telling their story. The privileging of women's voices at the heart of trafficking discourse constituted a new direction in trafficking praxis. In being able to confidently voice the self under suffering (Morris, 1997), women achieved self-healing and self-recovery. They also recovered lost dignity and the freedom to move on with their lives. As NGO 1 eloquently expressed it "Women can be victims but are always their own rescuers".

*Chapter 7:* Whilst chapters 4 through 6 engaged with the intersections crossing trafficking movement, experience, and pre and post trafficking lives and identities, chapter 7 highlighted the disjuncture between international and domestic trafficking policy. Fragmentation was initially looked at in relation to the UK discourse on prostitution and sex work. The contemporary lens on exiting prostitution victimhood, coupled to a policy agenda of individual responsibility (Scoular and O'Neill, 2007), was shown to construct women's consent and self-actualisation within prostitution and global movements for sex work, as fundamentally transgressive.

In this study, division between local governance and international policy on marriage in a context of trafficking was specifically raised by women participants. The omission of forced marriage from a UK lens on trafficking seemed a significant oversight, given the growing body of international recognition for trafficking in marriage (UNESCO, 1997; UN General Assembly, 2007; EUD, 2011) <sup>2</sup>. Its continued oversight constitutes a formidable gap in the growing scholarship on forced marriage. The chapter suggested an explanation for this absence, as founded in UK perceptions of forced marriage - based on a social system of honour, ethnic division, and religious separation from the host society. It has been argued that this fosters a non-interventionist approach, underlying the non criminalisation of forced marriage within the UK. The empirical consequences of this lack of forced marriage within trafficking surfaced in women's accounts of harms resulting from this gap in knowledge.

---

<sup>2</sup> The UK acknowledges the trafficking of children for forced marriage, in line with international recognition. See Bokhari, 2009.



Amongst these harms, women stressed their dual exclusion from trafficking related assistance and forced marriage services; a perceived disadvantage compared with non BME and national victims of domestic violence; an increased risk of criminal and immigration sanctions following breakdown of the marriage; and the threat of repatriation without children born in the UK. The chapter argued this dual exclusion from forced marriage and trafficking help, as contravening rights and recommendations established in the Special Rapporteur on Trafficking Report (UN General Assembly , 2007: F46).

Copying findings for the prostitute subject, women's sharing of choices and decision making in stories of transnational marriage left them vulnerable to transgressive labelling and blame. Consequently, the chapter also looked to comprehending women's behaviour, as both the beneficiaries and perpetrators within contemporary trafficking movements. The presence of female traffickers in women's accounts, confirmed in UNODC (2008) investigation of female recruiters, contributed empirical knowledge towards gendered motivations and 'modus operandi'. Across stories, women emerged as capable of utilising the services of traffickers to facilitate movement (Andrijasevic, 2003), and as capable of trafficking other women for personal gain (Surtees, 2008; UNODC, 2008)<sup>3</sup>. Additionally, women's narratives on transnational marriage displayed a context of trafficking recruitment, coercion and exploitation, often at the hands of female family members, in common with many gendered trafficking practices (Bales, 2003). In stark contrast, the case studies of Sofia and Tijana highlighted the double indemnity and double punishment experienced by women at the hands of traffickers and the criminal justice system (ATMG, 2010). Whilst complementing this existing body of knowledge, the chapter promoted complexities in the understanding of women's agency - given women's subjugation under patriarchy, the competing demands on women from economic push and pull factors, and women's precarious role in securing suitable endogamous marriage partners. In turn, these factors supported the thesis' theoretical prism of a relational lens embracing free, partial and constrained trafficking agency.

---

<sup>3</sup> Since this study did not interview any female traffickers, it is equally important to acknowledge women's situation as unwitting intermediaries in trafficking activity. See Surtees (2008) and Viuhko (2010).

In feminist support of women's voices, the conclusion now turns to empirically led concerns for women centred policy improvement and future research.

### **8.3 Feminist praxis: Women's gaze on policy improvement**

#### *Marriage:*

Women participants called for eligibility to trafficking help and protection for women subjects of transnational forced marriages. Although the EUD preamble (2011: paragraph11) reinforces marriage as a site of trafficking, trafficking for marriage is overlooked in UK policy discourses on both trafficking and forced marriages. Women felt 'under the radar' of both these services and frequently illustrated the consequences from this in domestic violence. Women carried a perception that BME victims received a secondary service compared to UK nationals and white victims. Participants seeking indefinite leave to remain shouldered a heavy burden in evidencing DV (as per Part 8 of the Home Office and UK Border Immigration Rules), particularly as husbands and extended family members denied them access to GP's and private consultations. They additionally feared the consequences of losing their British born children under deportation or divorce proceedings, adding explanation to the low and late reporting of BME injuries (Commission on Women and the Criminal Justice System, 2004; House of Commons, 2007-8). Participant calls for improvement connected with a recent Poppy investigation into servile and fake marriages. According to the report (2009: 25), although these marriages are characterised by a high incidence of DV, rape, prostitution, and domestic exploitation,

“no figures exist on what percentage of these women were trafficked for servile marriage, or which women entered the country as spouses of British men...”

Women's concerns also join those of other women's rights activists, for an inclusion in DV protections, regardless of a woman's immigration status (House of Commons, 2007-8). This is clearly an area of trafficking and BME inquiry worthy of future policy investment and research.

#### *Adult consent:*

Women sought a change of attitude from politicians and public alike towards consent. As a rule, participants felt consent added to misunderstanding and misidentifications rife in formal interview situations. In addition to this, their

typically poor English language skills prevented them from properly explaining their involvement, and defending their actions, to officials tasked with establishing VOT credibility and innocence. The EUD (Article 2) carries improvement for consent in one specific context. When in force, the EUD would remove a person's consent to come to the UK as barring them from being a victim of trafficking. The participant women, and a number of NGO projects (including some who did not take part in the research) welcomed this research venture for its positive focus on agency.

*No recourse to public funding:*

Women were hugely grateful to supporting agencies within the NGO sector. Despite the introduction of the NRM, many NGO professionals raised a concern over fewer NRM referrals and positive decisions, compared with the numbers seeking help from their projects. This placed a great strain on the budgets and resources of small charities, and affected their ability to deliver 'golden' care. Women particularly highlighted practices resulting in additional dispersal within the UK, and causing rupture in relationships, health care and children's education. The absence of a VOT's entitlement to public monies left them dependent upon overstretched UK charities, facing destitution or trapped with an abusive partner <sup>4</sup>. This contrasted with Zara's right, as a British citizen, to claim benefits following repatriation and divorce.

The EUD (2011: Article 11) goes some way towards improving services to victims, for example, by removing the qualifying condition of cooperation with criminal justice authorities. However, it neither obliges states to provide for victims who (for whatever reason) refuse a referral to the NRM, or who are denied 'reasonable grounds' by the NRM (EUD, 2011: paragraph 21). Women and professionals alike supported the idea of working alongside a trafficking champion to progress women's voices in Parliament. The proposal for a National Rapporteur was originally suggested in the Convention (2005, Article 29: 4), and reiterated in the EUD (2011, Article 19), but has never been actioned by any political party.

---

<sup>4</sup> Southall Black Sisters (a BME organisation with 'no recourse' victims) estimates a nationwide 600 women, as being in this category (Amnesty International and Southall Black Sisters, 2008b: 7).

### *Motherhood and human rights to mothering:*

Women railed against the domino effect to mothering from imposed and threatened immigration and criminal justice sanctions. Deportation and detention brought double punishments, involving a loss of freedom for the adult and affiliated penalties on dependent children. Frequently, these involved a second separation or loss of a British born child, in addition to absent children left behind in the home country. None of the trafficking provisions contained in the Protocol, Convention or EUD provide for this aspect of family reunification. Whilst individually, each treaty progresses the collective rights of presumed trafficked persons, the overall package remains one of health, welfare and basic information provision. In terms of developing a women centred policy, women privileged legal aid in finding 'lost' children, and inter-state cooperation supporting children to re-join their mothers in the host country.

Despite the advantages offered in the EUD (2011: paragraph 11) enlargement of trafficking - as including forced begging and forced criminal activities for gain (as in compelling Tijana to cash a false cheque) - one gap in current legislation remains the trafficking of babies. A prosecution for baby trafficking is possible under the Asylum and Immigration Act (section 4) when a pregnant VOT is induced. However, it does not cover the trafficking of women into the UK, in order to supply newly born babies for benefit fraud (House of Commons, 2008-9: Evidence 252: 10).

The gendered implications of trafficking on motherhood, suggests itself as a critical topic for future research and policy investment.

### *Barriers to immigration justice – Non European Union victim perceptions:*

Participants hailing from countries outside of the European Union expressed disadvantage after meeting and mixing with other European migrant and trafficked women. Although EU nationals are not accorded identical rights<sup>5</sup>, non EU women felt restrictions on their ability to legally work within the EU made them dependent upon trafficking networks for their movement, and vulnerable to greater exploitation at the hands of their employers. Women also widely believed that forced migrants pertaining to the EU received preferential immigration treatment from the UK and Border NRM system. Whilst the ATMG

---

<sup>5</sup> In the UK, for example, Romanian and Bulgarian migrants do not hold the same labour market and welfare rights as other EU nationals.

(2010: 13) found unfair practices supporting 'a hierarchy of victims', (for example, fewer allocations of residence permits to non EU and EEA country victims), the Convention's watchdog GRETA (a group of experts on action against trafficking in human beings), has yet to complete its first independent review of UK delivery on its Convention obligations.

*VOT access to criminal compensation:*

NGO professionals raised a knock on disadvantage for compensation, faced by non EU victims. The combined effects of greater immigration controls and fewer residence permits meant non EU women were not resident in the UK long enough to pursue a claim. Both the Convention (2005: Article 15) and the EUD (2011: Article 17) uphold the right of VOTs to compensation and require States to action schemes facilitating compensation. The Action Plan (2007: 58) identifies three ways of accessing compensation – through the CPS in the wake of a successful trafficking prosecution; by pursuing a civil claim against the trafficker; or by applying to the Criminal Injuries Compensation Scheme. However, since the Action Plan contains no strategy or timetable on compensation (typical to all other objectives), the issue of compensation disappears from Action Plan policy in the subsequent reviews of 2008 and 2009.

As per Convention and EUD suggestions of a state compensation scheme, this barrier to justice requires overhaul, in order for women to reap the restorative benefits inherent in compensation. As observed by Lam and Skrivankova (2009), the UK Action Plans fail to draw an obvious link between confiscated revenues from trafficking and improved access and compensation pay outs. A joined up approach would provide a practical first step towards realising a state run compensation scheme <sup>6</sup>.

The final remarks in this section address some of the prominent limitations in the research and suggest a possible remedy. With the exception of the two case studies (Sofia and Tijana), all female participants were in the 'golden middle' (Brennan, 2005: 38) between immediate police rescue and full recovery from trafficking. A woman centred perspective would be qualitatively enhanced by comparative research with women either side of this golden middle.

---

<sup>6</sup> For additional steps, see the joint Anti-Slavery International / Poppy guide on legal rights and recourse (2010).

Another limitation surrounds the bias in participants with a story of forced marriage. Greater representation from women trafficked for sexual and labour exploitation was largely prevented by professionals, refusing permission on behalf of presumed or identified victims of trafficking. The vetting of access to women trafficked for a forced or fake marriage was comparatively less stringent, since such practices are not officially recognised in UK provisions on trafficking. The greatest barriers in accessing participants were concerns over the research purpose and 'compassion fatigue' on the part of overstretched and under resourced professionals. These fears concerning researcher exploitation of vulnerable groups could be reduced through participative action research with trafficked women. Following the innovative methodologies in art work and installations with sex workers and new arrivals (O'Neill, 2001; Guardian, 2009a), the introduction of ethno-mimesis (ethnography and arts based practice) in researching trafficking experience, could open gateways to hitherto unspoken, felt, and sensuous knowledge. I had the good fortune of witnessing this first hand, when Maggie O'Neill invited me to join in with one such 'performance' on asylum experience – mapping journeys, hopes and fears through an embroidered mural. This was exhibited as part of the 'dignity in care' network at the Whitworth Art Gallery, Manchester, in January, 2010. Participatory action research of this kind could, conceivably, also lay the foundations for improving the fate and success of longitudinal case studies in the field of qualitative trafficking research.

#### **8.4 Anti-trafficking praxis: A professional gaze on policy improvement**

A number of lessons for the development of good professional practice have arisen out of this research. Whilst 8.3 privileged women's policy suggestions - as experts of their own experience - this section now turns to practice ideas generated from a professional 'wish list' compiled in interviews with anti-trafficking professionals. Together with a summary of my own post fieldwork actions, these now close the thesis in a spirit of feminist return to all who participated in the research venture.

The professional wish list was characterised by what anti-trafficking professionals thought should be taken out of, or put into, the trafficking discourse in order to assist their work. I have selected the following suggestions, since they resonate with empirical concerns in the delivery of a

trafficking service, as raised in women's stories. Featured in the 'taken out' category, NGO 1 wanted the removal of credibility, as the conscious and unconscious arbiter for granting or refusing VOT status. Within the thesis, women's narratives and official processes have illustrated belief for and against a trafficking claim as malleable to perceived social, cultural and gendered factors, determining the level and appropriateness of trafficking interventions. A central lesson for practice lies in challenging the adverse relationship of credibility on assessor sympathy, victim deservability, and CJS preoccupation with 'hard' evidence of trafficking trauma, as in physical injuries and /or sexual harm (rape and indecent assault).

NGO 5 ideally wanted the removal of prostitution from the trafficking discourse or, at a minimum, a sophisticated understanding of difference between sex work and trafficking for sexual exploitation. Women's stories and extant literature have raised the consequences of gendered stereotyping and preoccupation with sex trafficking, for misdirecting focus away from other types of exploitation (domestic labour, cannabis production, servile marriages), and away from a continuum of harm within exploitative choices (women taking sex jobs to escape lowly paid other work or to fund a specific goal). A conceptually rich understanding of new migrant opportunities and trafficking risks - attached to globalised markets in sex work and service industries - would add health, safety, and rights to a violence against women agenda fixed on forced prostitution. An appreciation of the subjective and structural complexities surrounding prostitution and sex work choices might also help dispel the inhospitable CJS environment, perceived by non trafficked subjects of rape and other forms of gendered violence.

NGO 4 desired the removal of disempowering policies. Research, practice, and participant's stories identified cross overs with other forms of movement - migration, asylum seeking and refugee experiences - highlighting common barriers to integration. For women participants, these barriers primarily concerned ineligibility to access paid work (caught between rescue and indefinite leave to remain), and the lack of rights and recourse to state benefits and other welfare supports (Zara provided the exception as a British citizen). Although participant women involved in this study enjoyed access to free English classes during the fieldwork, this service has since been cut under

Coalition plans to reduce public spending. Imposing charges has been widely critiqued for disadvantaging the vulnerable (asylum seekers and refugees) and women (who constitute two thirds of current enrolments - Independent, 2011). It also presents at odds with 'Big Society' ideals on integration, diversity and fairer access to justice.

In terms of adding contribution to ongoing trafficking practice, the Partnership sector wished for a more responsible dialogue and a community approach to developing services. Partnerships A and B envisaged improvement via greater interagency networking, while Partnership C saw improvement in better community initiatives and cohesion. As described in chapter 4, Partnership C already actioned this wish through sourcing migrant businesses to cater and entertain at civic events. Although, initially, this felt tokenistic to an outsider such as me, women participants and many local NGO groups welcomed this, in light of the freedom and belonging attached to food, music and traditional dress (Lewis, 2007b; 2009b). Partnership C wished to develop on this, by consolidating a role for migrant spokesmen and women on community and council fora.

In contrast, senior NGO 2 framed his wish for trafficking in the mainstreaming of trafficking care to existing departments (Social Services, Safeguarding Children's Boards, the Victim Services), following specific anti-trafficking training. NGO 2 perceived mainstreaming as a potential solution to current problems over coordinating and resourcing services. According to the European Commission (2010), an estimated 100,000 people are trafficked into and around the EU each year, with at least 5,000 victims arriving in the UK. Given existing Convention obligations for cooperation with civil society on prevention, and for inter-agency cooperation in addressing protection and prosecution, a well-structured and coordinated VOT service is an ongoing challenge for trafficking praxis.

GEO 6 prioritised the need to review and reset crime performance indicators to reflect changes in contemporary trafficking practices. The thesis has identified these changes, for example, in non-violent controls, the use of female traffickers, and agency in victimhood. In exploring women's agency, the thesis has critiqued the limitations of a crime lens, as practiced under an international serious organised crime umbrella, under a UK law and enforcement agenda of



individual responsibility, and under a broader migration – crime – security nexus. Both the extant literature and the empirical research make a strong case for rejecting orthodox crime concerns with the ‘ideal’ and ‘right sort’ of trafficking victim, and for desisting in the punishment of trafficked women - often victims in DV, victims lacking immigration papers, or victims compelled to break the law. Good praxis in trafficking requires an awareness, not only of the double victimisation and double punishment inherent in crime responses (experienced by Sofia, Tijana, and many BME victims of DV), but also of the precarious position of women within trafficking crime groups. As previously stated, women can be aggressors, and also unwilling or unwitting accomplices in trafficking. Performance indicators based solely on the number of trafficking arrests and prosecutions increase the risk of ensnaring VOTs in the traffickers’ net.

My personal feminist return to women is visible in the following summary of researcher actions, which concludes this final chapter. Firstly, a proposal in favour of inviting formerly trafficked women to sit on educational and industrial panels, responsible for quality assurance of UK training and education in trafficking. The University of Bradford provides an example of an interested HE provider, and the UKHTC Research Unit forms an interested party from industry. This initiative was presented in person before the University of Bradford’s ‘Academic Course Approval and Review’ Team, and at a UKHTC research management meeting (see Appendix 7). Secondly, a feminist return is demonstrated by an undertaking to meet the request for a free in house training event, lodged by two trafficking projects involved in a Yorkshire and Humberside scoping exercise to determine local training needs. Both projects contacted me in my role as Project Manager, and based their request on the lack of a training budget to attend externally run courses on trafficking. These events will take place during 2012 and, once delivered, will require project leaders to complete and return a formal evaluation sheet to the Project’s Head Office.

On a final note on feminist return, participant women and anti-trafficking professionals often clashed and, on a rare occasion, agreed over an aspect in trafficking delivery and improvement. Yet all took part in this venture, in the hope of ‘making it better’ for women subsequently trafficked into the UK. I, too,

hope my thesis does justice to this goal and to women's courageous stories of trafficking agency.

## BIBLIOGRAPHY

ACPO (2010) *Findings from the UK National Problem Profile Commercial Cultivation of Cannabis. "Three Years On"...* Available: <http://www.acpo.police.uk/documents/crime/2010/201008CRICCC01.pdf>

[Date accessed on line 15.10.11]

Adams, N (2003) 'Anti-trafficking legislation: Protection or deportation?', *Feminist Review*, 73,135-8

Agustin, L (2001) *Sex Workers and Violence against Women: Utopic Visions or Battle of the Sexes?*, The Society for International Development, Paper 44, 3,107-110, London & New Delhi, Sage

Agustin, L (2003a) 'A Migrant World of Services', *Social Politics*, 10, 3, 377-396

Agustin, L (2003b) 'Forget Victimisation. Granting Agency to Migrants', *Development*, 46, 3, 30-36

Agustin, L (2004) 'Daring Border-Crossers: A Different Vision of Migrant Women' in Day, S & Ward, H (eds) *Sex Work in a Changing Europe*, London, Kegan Paul.

Agustin, L (2005a) 'Migrants in the Mistress's House: Other Voices in the "Trafficking" Debate', *Social Politics: International Studies in Gender, State and Society*, 12, 1, 96-117

Agustin, L (2005b) *Still Challenging Place: Sex, Money and Agency in Women's Migrations* in Escobar, A & Harcourt, W (eds) *Women and the Politics of Place*, Bloomfield CT: Kumarian Press

Agustin, L (2006a) 'The Disappearing of a Migration Category: Migrants who Sell Sex', *Journal of Ethnic and Migration Studies*, 32, 1, 29-47

Agustin, L (2006 b) 'The Conundrum of Women's Agency: Migrations and the Sex Industry', in Campbell, R & O'Neill, M (eds) *Sex Work Now*, 116-140, Cullompton, Willan

Agustin, L (2007a) *Sex at the Margins. Migration, Labour Markets and the Rescue Industry*, London & New York, Zed books

Agustin, L (2007b) *Sex Trafficking Interview*, BBC Radio 4 Thinking Aloud Programme, December, 12, 2007. Available: [http://www.bbc.co.uk/radio4/factual/thinkingaloud/thinkingaloud\\_20071212.shtml](http://www.bbc.co.uk/radio4/factual/thinkingaloud/thinkingaloud_20071212.shtml) [date accessed on line 12.12.07]

Agustin, L (2010) 'The Crying Need for Different Kinds of Research' in Ditmore, M, Levy, A & Willman, A (eds) *Sex Work Matters*, 23-27, London & New York, Zed Books

Akhtar, S & Gilligan, P (2006) 'Cultural Barriers to the Disclosure of Child Sexual Abuse in Asian Communities: Listening to What Women Say', *British Journal of Social Work*, 36, 8, 1361-1377

Aldridge, M (1994) 'Unlimited Liability? Emotional Labour in Nursing and Social Work', *Journal of Advanced Nursing*, 20, 722-8

Amnesty International (2008a) *Scotland's Slaves. An Amnesty International Briefing on Trafficking in Scotland*, Edinburgh, Amnesty International

Amnesty International & Southall Black Sisters (2008b) 'No Recourse' No Safety: *The Government's Failure to Protect Women from Violence*, London, Amnesty International

Anderson, B (2000) *Doing the Dirty Work? The Global Politics of Domestic Labour*, London & New York, Zed Books Ltd

Anderson, B (2007) *Motherhood, Apple Pie and Slavery: Reflections on Trafficking Debates*, Centre on Migration, Policy and Society, Working Paper No. 48, University of Oxford, 1-20.

Anderson, B & O'Connell Davidson, J (2004) *Trafficking - A Demand Led Problem?* Stockholm, Save the Children Sweden

Andrijasevic, R (2003) 'The Difference Borders Make: (il) Legality, Migration and Trafficking in Italy among East European Women in Prostitution', in Ahmed, S. Castaneda, C. Fortier, A-M. & Sheller, M (eds) *Uprootings / Regroundings: Questions of Home and Migration*, 251-272, Oxford, Berg Press.

Andrijasevic, R (2010) *Migration, Agency and Citizenship in Sex Trafficking*, Palgrave Macmillan, Basingstoke

Annells, M (1996) 'Grounded Theory Method: Philosophical Perspectives, Paradigms of Enquiry and Postmodernism', *Qualitative Health Research*, 6, 3, 379-383

Anti-Slavery International (2003) *The Migration-Trafficking Nexus: Combating Trafficking through the Protection of Migrants' Human Rights*, London, Anti-Slavery International

Anti-Slavery International (2006) *Trafficking for Forced Labour, UK Country Report*, London, Anti-Slavery International

Anti-Slavery International & Poppy (2010) *Rights and Recourse: A Guide to Legal Remedies for Trafficked Persons in the UK*, London, Anti-Slavery International

Anti-Trafficking Monitoring Group Report (2010) *Wrong Kind of Victim? One year on: An Analysis of UK Measures to Protect Trafficked Persons*, Anti-Slavery International, June 2010. Available: [http://www.antislavery.org/includes/documents/cm\\_docs/2010/a/1\\_atmg\\_report\\_for\\_web.pdf](http://www.antislavery.org/includes/documents/cm_docs/2010/a/1_atmg_report_for_web.pdf) [date accessed on line 17.06.10]

Aradau, C (2003) 'Trafficking in Women: Human Risks or Human Rights?' *Canadian Women Journal / Les Cahiers de la Femme*, 22, 3/4, 55-59. Available: <http://www.libertysecurity.org/IMG/pdf> [date accessed on line 01.09.10]

Aradau, C (2004) 'The Perverse Politics of Four-Letter Words; Risk and Pity in the Securitisation of Human Trafficking', *Journal of International Studies*, 33, 2, 251-277. Available: <http://faculty.maxwell.syr.edu/hpschmitz/PSC350/PSC350Readings/AradauTrafficking.pdf> [date accessed on line 20.07.10]

Aradau, C (2008) *Rethinking Trafficking in Women: Politics out of Security*, Basingstoke, Palgrave Macmillan

Aradau, C (2010) *No Laughing Matter: The Politics of Anti Trafficking Cartoons*. Available: <http://www.re-public.gr/en/?p=324> [date accessed on line 02.07.10]

Archer, M (1995) *Realist Social Theory: The Morphogenetic Approach*, Cambridge, Cambridge University Press

Archer, M (2000) *Being Human. The Problem of Agency*, Cambridge, Cambridge University Press

Armstead, C (1995) 'Writing Contradictions. Feminist Research and Feminist Writing', *Women's Studies International Forum*, 18, 5/6, 627-636

Aronowitz, A (2003) 'Trafficking in Human Beings: An International Perspective' in Siegel, D. Van de Bunt, H. & Zaitch, D (eds) *Global Organised Crime: Trends and Developments*, 85-95, Dordrecht, Boston & London, Kluwer Academic

Arts, Migration and Diaspora Regional Network (2009) *Global Imaginaries Conference: Writing, Migration and Place*, University of Lancaster, 9<sup>th</sup>-12<sup>th</sup> September, 2009. Available: <http://www.lboro.ac.uk/departments/ss/global-refugees/> [date accessed on line 26.08.09 & 16.06.10]

Asylum Support Partnership (2009) *Newsletter*. Available:  
[www.refugeecouncil.org.uk/asp](http://www.refugeecouncil.org.uk/asp) [date accessed on line 26.04.10]

Bales, K (2000) *Disposable People. New Slavery in the Global Economy*, Berkeley, Los Angeles & London, University of California Press

Bales, K (2003) 'Because She Looks Like a Child' in Ehrenreich, B & Hochschild, A. R (eds) *Global Woman: Nannies, Maids and Sex Workers in the Global Economy*, 207-229, New York, Owl Books

Bales, K (2005) *Understanding Global Slavery. A Reader*, Berkeley, Los Angeles & London, University of California Press

Bales, K (2008) *Slavery Today*, Toronto, Groundwood

Bales, K (2009) *Modern Slavery: The Secret World of 27 Million People*, Oxford, Oneworld.

Bar-On, D (1995) *Fear and Hope: Life-Stories of Five Israeli Families of Holocaust Survivors, Three Generations in a Family*, Cambridge, MA, Harvard University Press.

Bar-On, D & Chitin, J (2001) *Parenthood and the Holocaust*, Jerusalem: Yad Vashem.

Barnardo's (1998) *Whose Daughter Next*, Essex, Barnardo's

Barry, K (1995) *The Prostitution of Sexuality*, New York, New York University Press

Barry, L (2010) *Bride Trafficking Unveiled*, Current TV Documentary, aired 20.04.2010

Bart, P & O'Brien, P (1984) 'Stopping Rape: Effective Avoidance Strategies', *Signs*, 10, 83-101

Bastia, T (2005) 'Child Trafficking or Teenage Migration? Bolivian Migrants in Argentina', *International Migration*, 43, 4, 57-87

Batchelor, S, Burman, M, Brown, J (2001) 'Discussing Violence: Let's Hear it for the Girls', *Probation Journal*, 48, 125-134

BBC 1 (2008) *Home Affairs Interview with Damian Green, MP*, aired 19. 02. 2008

BBC 2 This World (2008) *Girl Racer*, aired 19.02.2008

BBC News Channel (2007) *Sex Slavery Widespread in England*. Available: <http://www.bbc.co.uk> [date accessed on line 27.07.10]

BBC Radio 4 (2010) Interview with Frances Crook, aired 21. 04. 2010. Available: [www.bbc.co.uk/programmes](http://www.bbc.co.uk/programmes) [date accessed on line 25.08.10]

BBC Radio 5 (2010) *Trafficked Children Working in UK 'Cannabis Farms'*, aired 17. 08. 2010. Available: [www.bbc.co.uk/news](http://www.bbc.co.uk/news) [date accessed on line 10.01.11]

Bell, S (1994) *Reading, Writing and Rewriting the Prostitute Body*, cited in Miriam, K (2005) 'Stopping the Traffic in Women: Power, Agency and Abolition in Feminist Debates over Sex-Trafficking ', *Journal of Social Philosophy*, 36, 1, 1-17

Bergen, R. K (1993) 'Interviewing Survivors of Marital Rape: Doing Feminist Research on Sensitive Topics' in Renzetti, C & Lee, R (eds) *Researching Sensitive Topics*, 197-211, London, Sage

Berman, J (2003) '(Un) popular Strangers and Crises (Un) bounded: Discourses of Sex Trafficking, the European Political Community and panicked state of the Modern State', *European Journal of International Relations*, 9, 1, 37-86

Berman, J (2010) 'Biopolitical Management, Economic Calculation and "Trafficked Women"', *International Migration*, 48, 4, 84-113



Bertrand, J. Brown, J. and Ward, V (1992) 'Techniques for Analysing Focus Group Data' *Evaluation Review*, 16, 2, 198-209

Bhachu, P (1993) 'Identities Constructed and Reconstructed: Representations of Asian Women in Britain, in Buijs, G (1993) (ed) *Migrant Women. Crossing Boundaries and Changing Identities*, 99-117, Oxford, Berg Publishers Ltd

Bloch, A (1999) 'Carrying Out a Survey of Refugees: Some Methodological Considerations and Guidelines', *Journal of Refugees Studies*, 12, 4, 367-383

Bloch, A (2003) 'Victims of Trafficking or Entrepreneurial Women? Narratives of Post-Soviet Entertainers in Turkey', *Canadian Woman Studies* 22, 3/4, 152-8

Bloch, A (2004) *Making it Work. Refugee Employment in the UK*, Working paper 2: 'Asylum and Migration' working paper series, Institute for Public Policy Research.

Available:

[http://www.ippr.org.uk/members/download.asp?f=/ecomm/files/making\\_it\\_work.pdf](http://www.ippr.org.uk/members/download.asp?f=/ecomm/files/making_it_work.pdf) [Date accessed on line 03.01.11]

Bloch, A, Galvin, T & Harrell-Bond, B (2000) 'Refugee Women in Europe: Some Aspects of the Legal and Policy Dimensions', *International Migration*, 38, 2, 160-188

Bokhari, F (2009) *Stolen Futures: Trafficking for Forced Child Marriage in the UK*, ECPAT, UK

Bolcovac, K & Lynn, C (2011) *The Whistle-blower: Sex Trafficking Military Contractors and One Woman's Fight for Justice*, Basingstoke, Palgrave Macmillan.

Bosworth, M (2007) *Immigration Detention in Britain*, in Lee, M (ed) *Human Trafficking*, 159-177, Cullompton, Devon, Willan.

Brace, L (2004) *The Politics of Property. Labour, Freedom and Belonging*, Edinburgh, Edinburgh University Press

Brandon, J & Hafez, S (2008) *Crimes of the Community: Honour Based Violence in the UK*, London, The Centre for Social Cohesion

Brennan, D (2003) 'Selling Sex for Visas: Sex Tourism as a Stepping-Stone to International Migration', in Ehrenreich, B & Hochschild, A. R (eds) *Global Woman: Nannies, Maids and Sex Workers in the Global Economy*, 154-168, New York, Owl Books

Brennan, D (2005) 'Methodological Challenges in Research with Trafficked Persons: Tales from the Field', *Special Issue of International Migration*, 43, 1/2, 35-54

Brown, D (2008) *More Destitution in Leeds. Repeat Survey of Destitute Asylum Seekers and Refugees Approaching Local Agencies for Support*, York, Joseph Rowntree Charitable Trust

Brunovskis, A & Surtees, R (2007) *Leaving the Past Behind: When Trafficking Victims Decline Assistance*, Fafo Institute, Oslo

Brunovskis, A & Surtees, R (2010) 'Untold Stories. Biases and Selection Effects in Research with Victims of Trafficking for Sexual Exploitation', in *International Migration: Special Issue on Human Trafficking*, 48,4, 1-37

Bryman, A (2004) *Social Research Methods* (2<sup>nd</sup> ed), Oxford, Oxford University Press

Buijs, G (1993) 'Introduction' in Buijs, G (ed) *Migrant Women. Crossing Boundaries and Changing Identities*, 1-19, Oxford, Berg Publishers Ltd

Burman, M (2003) 'Girls Behaving Violently', *Criminal Justice Matters*, 53, 1, 20-21

Butler, J, Laclau, E & Zizek, S (2000) *Contingency, Hegemony, Universality. Contemporary Dialogues on the Left*, London, Verso

Cabinet Office (2007) *Security in a Global Hub- Establishing the UK's New Border Arrangement*, London, Home Office. Available: <http://webarchive.nationalarchives.gov.uk> [date accessed on line: 25.05.10]

Campbell, R (2002) *Emotionally Involved: The Impact of Researching Rape*, New York, Routledge

CARE (2010) *Proposed European Directive on Trafficking in Human Beings*, 7<sup>th</sup> October, 2010

Carey, M (1994) 'The Group Effect in Focus Groups: Planning, Implementing and Interpreting Focus Group Research', in Morse, J (ed) *Critical Issues in Qualitative Research Methods*, 225-41, London, Sage

Carey-Wood, J. Duke, K. Karn, V. and Marshall, T (1995) *The Settlement of Refugees in Britain*, Home Office Research Study, 141, London, HMSO

Carlen, P (1988) *Women, Crime and Poverty*, Milton Keynes, Open University Press

Carlen, P (1992) 'Criminal Women and Criminal Justice', in Matthews, R & Young, J (eds) *Issues in Realist Criminology*, 51-69, London, Sage

Carling, J (2005) *Global Migration Perspectives. Gender Dimensions of International Migration*, Global Commission on International Migration (GCIM), 35,1-26. Available: <http://www.gcim.org/mm/File/GMP%20No%2035.pdf> [date accessed on line 20.12.06]

Centre for Parliamentary Studies (2009) Head of Metropolitan Police Speech delivered to the Human Trafficking in the UK: Raising Awareness and Developing Local Action Conference, 9th July, 2009, Westminster, London, Unpublished

Centre for Social Cohesion (CSC) (2010) *Crimes of the Community: Honour-based violence in the UK*, (2<sup>nd</sup> ed), London, CSC

CEOP (2009) *Strategic Threat Assessment: Child Trafficking in the UK*, London, CEOP

Chapkis, W (1997) *Live Sex Acts. Women Performing Erotic Labour*, London & New York, Routledge

Chapkis, W (2003) 'Trafficking, Migration, and the Law: Protecting Innocents, Punishing Immigrants', *Gender and Society*, 17, 6, 923-937

Charmaz, K (1990) 'Discovering Chronic Illness: Using Grounded Theory', *Social Science and Medicine*, 30, 11, 1161-1172

Charmaz, K (2002) *Qualitative Interviewing and Grounded Theory Analysis*, in Gubrium, J & Holstein, J (eds) *Handbook of Interview Research. Context and Method*, 675-694, Thousand Oaks CA, London, New Delhi, Sage

Chiu, L-F & Knight, D (1999) 'How Useful are Focus Groups for Obtaining the Views of Minority Groups? in Barbour, R & Kitzinger, J (eds) *Developing Focus Group Research: Politics, Theory and Practice*, 99-112, London, Sage

Christie, N (1986) 'The Ideal Victim' in Fattah, E (ed) *From Crime Policy to Victim Policy: Reorienting the Justice System*, Basingstoke, Macmillan

Ci, J (2005) 'Taking the Reasons for Human Rights Seriously', *Political Theory*, 33, 243-265

Clark, T (2008) 'We're Over-Researched here! Exploring Accounts of Research Fatigue within Qualitative Research Engagements', *Sociology. Special Issue on the Future of the Research Relationship*, 42, 5, 953-970

Clifford, D (2010) 'SPA Ethics Guidelines', *Policy World, Newsletter of The Social Policy Association*, Winter / Spring 2010

Code, L (1991) *What Can She Know? Feminist Theory and the Construction of Knowledge*, Ithaca, New York, Cornell University Press

Coffey, A & Atkinson, P (1996) *Making Sense of Qualitative Data. Complimentary Research Strategies*, Thousand Oaks CA, London, New Delhi, Sage

Fawcett Society (2004) *Commission on Women and the Criminal Justice System*, London, Fawcett Society

Connell, J & Hart, G (2003) *An Overview of Male Sex Work in Edinburgh and Glasgow: The Male Sex Worker Perspective*, Occasional Paper no.8, MRC Social & Public Health Sciences Unit

Conway, G (1997) *Islamophobia: A Challenge for us All*, London, The Runnymede Trust

Council of Europe (2005) *Convention on Action against Trafficking in Human Beings*, 16.05.2005, Warsaw

Council of Europe (no date) *You're Not For Sale*. Available: <http://www.coe.int/t/DG2/TRAFFICKING/COMICS> [date accessed on line 02.07.10]

Craig, G, Gaus, A, Wilkinson, M, Skrivankova, K & McQuade, A (2007) *Contemporary Slavery in the UK*, York, Joseph Rowntree Charitable Trust

Crompton, R (1993) *Class and Stratification: An Introduction to Current Debates*, Cambridge, Polity

Crown Prosecution Service (2010) *Human Trafficking and Smuggling - Prosecution of Defendants Charged with Offences who might be Trafficked Victims*, Guidance updated 20. 04. 2010. Available: [http://www.cps.gov.uk/legal/h\\_to\\_k/human\\_trafficking\\_and\\_smuggling/#a29](http://www.cps.gov.uk/legal/h_to_k/human_trafficking_and_smuggling/#a29) [date accessed on line 22.04.11]

Daily Mail (2009) *Human Traffickers Sell Sex Slave on Britain's Busiest Street*, Mail Online, 8<sup>th</sup> December, 2009. Available: <http://dailymail.co.uk> [date accessed on line 27.07.2010]

Davis, L (1986) 'A Feminist Approach to Social Work Research', *Affilia*, 1, 32-47

Davies, N (2009) *Inquiry Fails to Find Single Trafficker Who Forced Anybody into Prostitution*, Guardian, 20<sup>th</sup> October, 2009. Available: <http://www.guardian.co.uk/theguardian> [date accessed on line 20.10.09]

Davies, P (2003) 'Is Economic Crime a Man's Game?' *Feminist Theory*, 4, 283-303

Davies, P (2007) 'Lessons From the Gender Agenda' in Walklate, S (ed) *Handbook of Victims and Victimology*, 175-201, Cullompton, Devon, Willan

Davis, J (2000) *Traveller*, Photographic documentary aired on channel 4, November, 2000

DCSF (2009) *Safeguarding Children and Young People from Sexual Exploitation*, Nottingham, DCSF publications

De Angelis, M (2008 /10) Personal Field work notes: 2008-10, Unpublished

De Vries, B. Suedfeld, P. Krell, R. Blando, J. & Southard, P (2005) "The Holocaust as a Context for Telling Life Stories", *International Journal of Aging & Human Development* 60, 3, 213-228

Demleitner, N (2001) 'The Law at a Crossroads: The Construction of Migrant Women Trafficked into Prostitution', in Kyle, D & Koslowski, R (eds) *Global Human Smuggling: Comparative Perspectives*, 257-293, Baltimore, Hopkins University Press

Denscombe, M (2002) *Ground Rules for Good Research. A 10 Point*

*Guide for Social Researchers*, Buckingham & Philadelphia, Open University Press

Denzin, N & Norman, K (1997) *Interpretive Ethnography: Ethnographic Practices for the 21<sup>st</sup> Century*, Thousand Oaks CA, Sage

Di Nicola, A (2005) 'Researching into Human Trafficking: Issues and Problems' in Lee, M (ed) *Human Trafficking*, Cullompton, Devon, Willan Publishing

Dickson, S (2004a) *Sex in the City. Mapping Commercial Sex across London*, London, Poppy Project

Dickson, S (2004b) *When Women are Trafficked: Quantifying the Gendered Experience of Trafficking in the UK*, London, Poppy Project

Dickson - Swift, V. James, E. Kippen, S. & Liamputtong, P (2007) 'Doing Sensitive Research: What Challenges Do Qualitative Researchers Face?' *Qualitative Research*, 2007, 7, 327-353. Available: <http://qrj.sage.sagepub.com/cgi/content/abstract/7/3/327> [date accessed on line 4.03.08]

Diener, E & Crandall, R (1978) *Ethics in Social and Behavioural Research*, Chicago, University of Chicago Press

Doezema, J (1998) 'Forced to Choose: Beyond the Voluntary v Forced Prostitution Dichotomy', in Kempadoo, K & Doezema, J (eds) *Global Sex Workers. Rights, Resistance and Redefinition*, 34-50, London & New York, Routledge

Doezema, J (2000a) 'Loose Women or Lost Women. The Re-emergence of the Myth of White Slavery in Contemporary Discourses of trafficking in Women', *Gender Studies*, 18, 1, 23-50

Doezema, J (2000b) *Ouch! Western Feminists' 'Wounded attachment' to the Third World Prostitute*, Available: <http://www.org/csis/papers/doezema-ouch.html> [date accessed on line 12.11.06]

Doezema, J (2002) 'Who gets to choose? Coercion, Consent and the UN Trafficking Protocol', *Gender and Development*, 10, 1, 20-32

Doezema, J (2004) *Sex Slaves and Discourse Masters. The Historical Construction of Trafficking in Women*, PhD. Thesis, University of Sussex

Doezema, J (2005) 'Now You See Her, Now You Don't: Sex Workers at the UN Trafficking Protocol Negotiations', *Social & Legal Studies*, 14, 1, 61-89

Doezema, J (2010) *Sex Slaves and Discourse Masters. The Construction of Trafficking*, New York, Zed Books

Dowling, S. Moreton, K. & Wright, L (2007) *Trafficking for the Purposes of Labour Exploitation: A Literature Review*, Home Office Online Report, 10, 2007. Available: <http://rds.homeoffice.gov.uk> [date accessed on line 26.08.08]

Doyal, L & Gough, I (1991) *A Theory of Human Need*, Hampshire & London, The Macmillan Press Ltd

Duluth, (2011) 'Creating a Process of Change for Men Who Batter', *The Duluth Curriculum for Facilitating Men's Non Violence Programs*, 2011 Edition. Available: [www.theduluthmodel.org](http://www.theduluthmodel.org) [Date accessed on line 06.01.11]

Dunn, J & Powell-Williams, M (2007) 'Everybody Makes Choices: Victim Advocates and the Social Construction of Battered Women's Victimization and Agency', *Violence Against Women*, 13, 977-1001. Available: <http://vaw.sagepub.com/cgi/content/abstract/13/10/977> [Date accessed on line 07.11.08]



Dwyer, P (2004), 'Agency, "Dependency" and Welfare: Beyond Issues of Claim and Contribution', in Dean, H (ed) *The Ethics of Welfare: Human Rights, Dependency and Responsibility*, 135-54, Bristol: The Policy Press

Eastmond, M (1993) 'Reconstructing Life: Chilean Refugee Women and the Dilemmas of Exile', 35-53, in Buijs, G (ed) *Migrant Women. Crossing Boundaries and Changing Identities*, Providence and Oxford, Berg Publishers Ltd

Eaves (2009) *Of Human Bondage. Trafficking in Women and Contemporary Slavery in the UK*, London, Eaves Housing for Women

Eaves Housing (2010) *Minutes of the Second Quarterly Forum on Provision of Services for Trafficked Persons in the UK, 25.02.2010*, Refugee Council, Leeds, Unpublished

ECPAT (2010) *Child Trafficking in the UK: A Snapshot*, London, ECPAT UK

Edwards, A & Gill, P (2003) *Transnational Organised Crime: Perspectives on Global Security*, London, Routledge cited in Goody (2008) 'Human Trafficking: Sketchy Data and Policy Responses', *Criminology & Criminal Justice*, 8, 4, 421-442

Efemini, E (2010) 'Till Death Do Us Part: Forced Marriages in the UK', *Criminal Justice Matters*, 79, 1, 14-15

Ehrenreich, B & Hochschild, A. R (eds) *Global Woman: Nannies, Maids and Sex Workers in the Global Economy*, New York, Owl Books

Einhorn, B (2006) *Citizenship in an Enlarging Europe. From Dream to Awakening*, Hampshire & New York, Palgrave Macmillan

Ejalu, W (2006) 'From Home to Hell: The Telling Story of an African Woman's Journey and Stay in Europe', in Beeks, K & Amir, D (eds) *Trafficking and the Global Sex Industry*, New York, Lexington Books

Elliot, J (2009) '(Mis) Identification of Victims of Human Trafficking', *International Journal of Refugee Law*, 21,4,727-741

European Commission (2010). Available: <http://ec.europa.eu/home-affairs> [date accessed on line 02.07.10]

European Union (2011) *Directive of the European Parliament and of the Council on Preventing and Combating Trafficking in Human Beings and Protecting its Victims, and Replacing Council Framework Decision 2002/629/JHA*. Available:<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:101:0001:0011:EN:PDF> [date accessed on line 15.05.11]

European Women's Lobby (2005), *Round Table Discussion*, 14<sup>th</sup> October, 2005, London

Farr, K (2005) *Sex Trafficking. The Global Market in Women & Children*, USA, Worth Publishers

Farrall, S & Bowling, B (1999) 'Structuration, Human Development and Desistance from Crime', *British Journal of Criminology*, 39, 2, 253–68

Favell, A & Hansen, R (2002) 'Markets against Politics: Migration, EU Enlargement and the Idea of Europe', *Journal of Ethnic and Migration Studies*, 28, 4, 581-602

Ferguson, T (2010) *Emma Thompson Brings Sex Trafficking to Fringe*, The Scotsman News, 09. 06. 2010. Available: <http://news.scotsman.com/scotland/Emma-Thompson-brings-sextrafficking-to.6348988.jp> [date accessed on line 07.07.10]

Fichtelberg, A (2008) *Crime Without Borders: An Introduction to International Criminal Justice*, New Jersey, Pearson

Fonow, M.M & Cook, J (1986) 'Knowledge and Women's Interests: Issues of Epistemology and Methodology in Feminist Sociological Research', *Sociological Inquiry*, 56, 1, 2-29

Fonow, M. M & Cook, J (1991) *Beyond Methodology: Feminist Scholarship as Lived Research*, Bloomington, Indiana University Press

Fontana, A & Frey, J (2000) *The Interview. From Structured Questions to Negotiated Text*, in Denzin, N & Lincoln, Y (eds) *Handbook of Qualitative Research*, Thousand Oaks CA, London, New Delhi, Sage

Forced Marriage Unit (n.d.) *What is Forced Marriage?* London, Forced Marriage Unit, Foreign and Commonwealth Office. Available:  
<http://www.fco.gov.uk/resources/en/pdf/2855621/what-is-forced-marriage>  
[date accessed on line 12.08.10]

Forced Marriage Unit (2008) Full Year 2008 Figures.

Forced Marriage Unit (2009) *Multi Agency Practice Guidelines – Handling Cases of Forced Marriage*, London, Forced Marriage Unit, Foreign and Commonwealth Office. Available:  
<http://www.fco.gov.uk/resources/en/pdf/3849543/forced-marriage-guidelines09.pdf> [date accessed on line 12.08.10].

Forced Marriage Unit (2011) *Documentary on the Work of the Forced Marriage Unit*, aired on Current TV, 06, 03, 2011

Foreign and Commonwealth Office, Scottish Executive & Home Office (2006) *Forced Marriage: A Wrong Not A Right – Summary of Responses to the Consultation on the Criminalisation of Forced Marriage*, June 2006, London, Foreign and Commonwealth Office Services

Foreign and Commonwealth Office, Home Office & NHS (2007) *Dealing with Cases of Forced Marriage*, London, Foreign and Commonwealth Office Services

Fouron, G & Glick Schiller, N (2001) 'All in the Family: Gender, Transnational Migration, and the Nation-State', *Identities: Global Studies in Culture and Power* 7, 4, 539–582

Franco Aas, K (2007) *Globalisation and Crime*, London & California, Sage

Gallagher, A (2001) 'Human Rights and the New UN Protocols on Trafficking and Migrant Smuggling: A Preliminary Analysis', *Human Rights Quarterly*, 23, 4, 975-1004

Gallagher, A (2002) 'Trafficking, Smuggling and Human Rights: Tricks and Treaties', *Forced Migration Review*, 12, 25-28

Gangoli, G, Razak, A, and McCarry, M, (2006) 'Forced Marriages and Domestic Violence among South Asia Communities in North East England', Bristol and Newcastle: Bristol University and Northern Rock Foundation

Garland D (2001) *The Culture of Control: Crime and Social Order in Contemporary Society*, Oxford, Clarendon

Girshick, L (2002) *Woman To Woman Sexual Violence. Does She Call It Rape?* Boston, Northeastern University Press

Glaser. B (1998) *Doing Grounded Theory: Issues and Discussion*, Mill Valley California, Sociological Press

Glover, S. Gott, C. Loizillon, A. Portes, J. Price, R. Spencer, S. Srinivasan, V & Willis, C (2001) *Migration: An Economic and Social Analysis*, RDS Occasional Paper No 67, London, Home Office

Goodey, J (2003) 'Recognising Organised Crime's Victims: The Case of Sex Trafficking in the EU', in Edwards, A & Gill, P (eds) *Transnational Organised Crime: Perspectives on Global Security*, 157-73, London, Routledge

Goodey, J (2004) 'Sex Trafficking in Women from Central and East European Countries. Promoting a 'victim centred 'and 'woman centred' Approach to Criminal Justice Intervention ', *Feminist Review*, 76, 26-45

Goodey, J (2005) 'Sex Trafficking in the European Union' in Sheptycki, J & Wardak, A (eds) *Transnational and Comparative Criminology*, London, Glasshouse

Goodey, J (2008) 'Human Trafficking: Sketchy Data and Policy Responses', *Criminology & Criminal Justice*, 8, 4, 421-442

Gozdziak, E & Collett, E (2005) 'Research on Human Trafficking in North America: A Literature Review', *Special Issue of International Migration*, 43, 1/2, 99-128

Guardian (2007) *Sex Slaves and the Reality of Prostitution*, 28<sup>th</sup> December, 2007

Guardian (2009a) *A Sense of Belonging Travelling Exhibition*, 13<sup>th</sup> January, 2009. Available: <http://www.guardian.co.uk/society/gallery/2009/jan/13/sense-of-belonging-exhibition?picture=341562670> [date accessed on line 03.09.09 & 16.06.10]

Guardian (2009b) *Inquiry Fails to Find Single Trafficker Who Forced Anybody into Prostitution*, Guardian, 20<sup>th</sup> October, 2009. Available: <http://www.guardian.co.uk/theguardian> [date accessed on line 20.10. 2009]

Guardian (2010a) *Sex Trafficking Gang Offered to Sell Young Virgins to Wealthy Arabs*, Guardian 14<sup>th</sup> September, 2010

Guardian on line newspaper (2010b) *Audio Interview with Baroness Stern: 15<sup>th</sup> March, 2010.* Available: [www.guardian.co.uk/society/2010mar/IJ/stern\\_review Rape-less-focus-convictions](http://www.guardian.co.uk/society/2010mar/IJ/stern_review Rape-less-focus-convictions) [date accessed on line 15.12.10]

Guardian (2011a) *Sex Trafficking Charity loses out to Salvation Army over £6m Contract*, Guardian 11<sup>th</sup> April, 2011

Guardian (2011b) *Poppy Project Funding Redirected to Salvation Army*, Guardian 9<sup>th</sup> May, 2011

Guardian (2011c) *"Human Trafficking is Modern Slavery"*, Guardian 2<sup>nd</sup> July, 2011

Guardian (2011d) *"Modern Slavery – the Reality"*, Guardian 12<sup>th</sup> September, 2011

Hage, G (1997) *At Home in the Entrails of the West: Multiculturalism, Ethnic Food and Migrant Home-Building*, in Grace, H. Hage, G. Johnson, L. Langsworth, J. & Symonds, M (eds) *Home/World: Space, Community and Marginality in Sydney's West*, Australia, Annandale NSW: Pluto Press

Hales, L & Gelsthorpe, L (2011) 'Research on Criminalisation of Migrant Women', *Prison Service Journal*, 2011, 198, 33-37

Hannah-Moffat, K & Shaw, B (2000) 'Thinking about Cognitive Skills? Think Again!', *Criminal Justice Matters*, 39, 8–9

Hansard (2009) *Column 125 WH*, 20<sup>th</sup> January, 2009. Available: <http://www.publications.parliament.uk/pa/cm200910/cmhansrd/cm100120/halltext/100120h0009.htm> [date accessed on line 22.04.11]

Hansard (2011) *Trafficking in Human Beings*, Column 979, 9<sup>th</sup> May, 2011. Available: <http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110509/debtext/110509-0003.htm> [date accessed on line 02.07.11]

Harding, S (1987) *Feminism and Methodology*, Bloomington & Indianapolis, Indiana University Press

Harding, S (1991) *Whose Science? Whose Knowledge?* Buckingham, Open University Press

Harding, S (1991) *Strong Objectivity and Socially Situated Knowledge* in Harding, S (ed) *Whose Science? Whose Knowledge? Thinking from Women's Lives*, 138-163, Ithaca NY, Cornell University Press

Harding, S (1993) 'Rethinking Standpoint Epistemology: What Is "Strong Objectivity"?' in Alcoff, L & Potter, E (eds) *Feminist Epistemologies*, 49-82, New York, Routledge

Haraway, D (1988) *Situated Knowledges: The Science Question in Feminism and The Privilege of Partial Perspective*, in Beckett, C (2005) 'Consent' - *Absolute division Between Abuse and Non abuse?* Paper delivered to the Feminist & Women's Studies Association UK & Ireland Conference on Gender & Violence, 9<sup>th</sup>-11<sup>th</sup> September, 2005, University of Aberdeen, Unpublished

Harrington, C (2005) 'The Politics of Rescue. Peace Keeping and Anti Trafficking Programmes in Bosnia-Herzegovina and Kosovo ', *International Feminist Journal of Politics*, 7, 2, 175-206. Available:

<http://www.uncjin.org/Documents/Conventions/dcatog/finaldocuments2/Convention%20traffeng.pdf> [date accessed on line 3.08.06]

Hester, M & Westmarland, N (2004) *Tackling Street Prostitution: Towards a Holistic Approach*, London, Home Office

Hester, M, Chantler, K, Gangoli, G, Devgon, J, Sharma, S and Singleton, S (2008) 'Forced Marriage: The Risk Factors and The Effect of Raising the Minimum Age for a Sponsor, and of Leave to Enter the UK as a Spouse or Fiancé(e)', (pp. 1-4), School for Policy Studies, University of Bristol

Hill, M (2003) 'Feminist Methodology' in Miller, R.L & Brewer, J.D (eds) *The A to Z of Social Research*, 117-120, London, Sage

Hickey, G (1997) 'The Use of Literature in Grounded Theory', *NT Research*, 2, 5, 371-378.

Hirschmann, N (2003) *The Subject of Liberty. Toward a Feminist Theory of Freedom*, Princeton & Oxford, Princeton University Press

Hitchcox, L (1993) 'Vietnamese Refugees in Hong Kong: Behaviour and Control', 145-160, in Buijs, G (ed) *Migrant Women. Crossing Boundaries and Changing Identities*, Providence and Oxford, Berg Publishers Ltd

HM Government (2008) *The Right to Choose: Multi-Agency Statutory Guidance for Dealing with Forced Marriage*, London, Forced Marriage Unit

HM Inspectorate of Prisons (2006) *Foreign National Prisoners: A Thematic Review*, London, HMIP

HM Inspectorate of Prisons (2007) *The Mental Health of Prisoners: A Thematic Review of the Care and Support of Prisoners with Mental Health Needs*, London, HMIP

HM Inspectorate of Prisons (2010) *Women in Prison: A Short Thematic Review*, London, HMIP

Hoagland, S (1988) *Lesbian Ethics*, California, Institute of Lesbian Studies

Home Office (2000) *A Choice by Right: The Report of the Working Group on Forced Marriage, June 2000*, London, Home Office Communications Directorate.

Available:  
[http://www.fco.gov.uk/resources/en/pdf/pdf14/fco\\_choicebyright2000](http://www.fco.gov.uk/resources/en/pdf/pdf14/fco_choicebyright2000) [date  
accessed on line 11.01.10]

Home Office (2003) *Sexual Offences Act*, London, HMSO

Home Office (2004a) *Asylum and Immigration Act*, London, HMSO



Home Office (2004b) *Paying the Price? A Consultation Paper on Prostitution*, London, HMSO

Home Office (2004c) *Solutions and Strategies: Drug Problems and Street Sex Markets*, London, HMSO

Home Office (2004d) *Marriage and Immigration Information Sheet*. Available: <http://www.ind.homeoffice.gov.uk/applying/generalcaseworking/spousescivilpartnersfiancees> [date accessed on line 30.03.09]

Home Office (2006a) *A Coordinated Prostitution Strategy and A Summary of Responses to Paying the Price*, London, HMSO

Home Office (2006b) *Regulatory Impact Assessment: A Coordinated Prostitution Strategy*, London, HMSO

Home Office (2007) *UK Action Plan on Tackling Human Trafficking*, London, HMSO

Home Office (2008) *Update to the UK Action Plan on Tackling Human Trafficking*, July, 2008, London, HMSO

Home Office (2009a) *Explanatory Memorandum on the Council of Europe Convention on Action against Trafficking in Human Beings*, Command Paper CM 7465, 30th September, 2009

Home Office (2009b) *Update to the UK Action Plan on Tackling Human Trafficking*, October, 2009, London, HMSO

Home Office (2009c) *Borders, Citizenship and Immigration Act*, London, HMSO

Home Office (2009d) *Coroners and Justice Act*. Available: [www.legislation.gov.uk](http://www.legislation.gov.uk) [Date accessed on line 13.01.11]

Home Office (2010a) *Explanatory Memorandum on European Community Document*, (COM, 2010, 95: 8157/10), 25<sup>th</sup> May, 2010. Available: <http://www.statewatch.org/news/2010/sep/eu-uk-trafficking-em.pdf>  
[date accessed on line 08.06.11]

Home Office (2010b) Criminal Justice and Licensing Act. Available: [www.legislation.gov.uk](http://www.legislation.gov.uk)  
[Date accessed on line 13.01.11]

Home Office (2010c) *The Stern Review*, London, HMSO

Home Office (2011a) Government Seeks to Join Europe-wide Accord to Tackle Human Trafficking, Press Release 22<sup>nd</sup> March 2011. Available: <http://www.homeoffice.gov.uk/media-centre/press-releases/human-trafficking-accord> [date accessed on line 30.05.11]

Home Office (2011b) *Human Trafficking: The Government's Strategy*. Available: <http://www.homeoffice.gov.uk/publications/crime/human-trafficking-strategy?view=Binary> [date accessed on line 03.03.11]

House of Commons European Scrutiny Committee (2011) *Trafficking in Human Beings*, 24<sup>th</sup> March, 2011. Available: [www.parliament.uk](http://www.parliament.uk) [date accessed on line 18.06.11]

House of Commons Home Affairs Committee (2007-8) *Domestic Violence, Forced Marriage and "Honour"-Based Violence, Sixth Report, Volume 1*, London, HMSO

House of Commons Home Affairs Committee (2008-9) *The Trade in Human Beings: Human Trafficking in the UK, Sixth Report, Volume 2*, London, HMSO

Howard League for Penal Reform (2005) *Briefing paper on Prison Overcrowding and Suicide*, London, LHPR

Howard League for Penal Reform (2006) *Care, Concern and Carpets: How Women's Prisons can use First Night in Custody Centres to reduce Distress*, London, LHPR

Huda, S (2005) *Trafficking in the Framework of Migration*, Paper delivered to the European Women's Lobby, 14<sup>th</sup> October, 2005, London, Unpublished

Human Rights Watch (2002), *Hopes Betrayed, Trafficking of Women & Girls to Post-Conflict Bosnia & Herzegovina for Forced Prostitution*, 14, 9 (D), November, New York, Human Rights Watch

Humberstone, B (1997) *Challenging Dominant Ideologies in the Research Process*, in Humberstone, B & Clarke, G (eds) *Researching Women and Sport*, London, Macmillan Press

Hunt, L (2008) 'Women Asylum Seekers and Refugees: Opportunities, Constraints and the Role of Agency', *Social Policy & Society*, 7, 3, 281-292

Independent (2010) *End to Free Language Classes for Immigrants*, Independent, 31<sup>st</sup> July 2011

Independent Asylum Committee (2008), *Fit for Purpose yet? – The Independent Asylum Report's Interim Findings*, London, IAC

International Organization for Migration (2001) "New IOM figures on the global scale of trafficking," *Trafficking in Migrants Quarterly Bulletin*, No. 23, April 2001

IOM (2003) *Trafficking In Persons: An Analysis of Afghanistan*, IOM Report, Geneva

ITV 4, (2005) *Sex Slaves*, aired 18.09.2005

Jassey, K (2006) *In the Eyes of the Beholder. Male and female agency in relation to 'Race', Sexuality, Love and Money*, Uppsala, Nordic Africa Institute  
Available:

<http://www.eadi.org/detailpage.phtml?&username=guest@eadi.org&password=9999&groups=ALL&workgroup=&page=news-contents3-07#pub> [date accessed on line 2.11.07]

Jeffreys, S (1997) *The Idea of Prostitution*, Melbourne, Spinifex

Jewkes, Y (2004) *Media and Crime*, London, Sage

Joseph Rowntree Foundation (2007) *Commissioners' Report. Moving On: From Destitution to Contribution*, York, Joseph Rowntree Charitable Trust

Jowett, M & O'Toole, G (2006) 'Focussing Researchers' Minds: Contrasting Experiences of Using Focus Groups in Feminist Qualitative Research, *Qualitative Research*, 6, 453-472

Journeys and Justice (2010) *Forced Migration, Seeking Asylum and Human Rights*, Roundtable Discussion, University of Leeds, January 29<sup>th</sup>, 2010

Kabeer, N (2003) *Gender Mainstreaming in Poverty Eradication and the Millennium Development Goals: A Handbook for Policy Makers and Other Stakeholders*, International Development Research Centre, Canadian International Development Agency. Available: <http://www.idrc.ca/openebooks/067-5/> [date accessed on line 23.12.07]

Kabeer, N (2007) *Marriage, Motherhood and Masculinity in the Global Economy: Reconfiguration of Personal and Economic Life*, Working Paper 290, Institute of Development Studies at the University of Sussex, Brighton. Available: <http://www.ntd.co.uk/idsbookshop/details.asp?id=999>, [date accessed on line 28.12.07]

Kantola, J & Squires, J (2004) 'Discourses Surrounding Prostitution Policies in the UK', *European Journal of Women's Studies*, 11, 1, 77-101

Kelly, L (1988) *Surviving Sexual Violence*, Cambridge, Polity Press

Kelly, L (2002) *Journeys of Jeopardy: A Review of Research on Trafficking in Women and Children in Europe*, Geneva, IOM

Kelly, L (2005) ‘ “You Can Find Anything You Want”: A Critical Reflection on Research on Trafficking in Persons within and into Europe’, in Laczko, F & Gozdzia, E (eds) *Data and Research on Human Trafficking: A Global Survey*, International Organisation for Migration, 2005, 43, (1/2), 325-265

Kelly, L (2007) ‘A Conducive Context: Trafficking of Persons in Central Asia’ in Lee, M (ed) *Human Trafficking*, 73-91, Cullompton, Devon, Willan

Kelly, L, Burton, S & Regan, L (1994) *Researching Women’s Lives or Studying Women’s Oppression? Reflections on What Constitutes Feminist Research* in Maynard, M & Purvis, J (eds) *Researching Women’s Lives From a Feminist Perspective*, 27-48, London, Taylor & Francis Ltd

Kelly, L, Lovett, J & Regan, L (2005) *A Gap or a Chasm? Attrition in Reported Rape Cases*, London, Home Office Research Study 293

Kelly, L & Regan, L (2000) *Stopping Traffic: Exploring the Extent of and Responses to Trafficking in Women in Sexual Exploitation in the UK*, Police Research Series 125, London, Home Office

Kelly, L, Regan, L & Burton, S (1996) *Beyond Victim or Survivor: Sexual Violence, Identity and Feminist Theory and Practice*, in Adkin, L & Merchant, V (eds) *Sexualising The Social*, Hampshire & London, Macmillan, 77-101

Kempadoo, K (1998a) ‘Introduction: Globalising Sex Workers Rights’ in Kempadoo, K & Doezema, J (eds) *Global Sex Workers. Rights, Resistance and Redefinition*, 1-28, London & New York, Routledge

Kempadoo, K (1998b) ‘The Migrant Tightrope. Experiences from the Caribbean’, in Kempadoo, K & Doezema, J (eds) *Global Sex Workers. Rights, Resistance and Redefinition*, 124-138, London & New York, Routledge

Kempadoo, K (2001) 'Women of Colour and the Global Sex Trade. Transnational Feminist Perspectives', *Meridians. Feminism, Race, Transnationalism*, 1, 2, 28-51

Kempadoo, K & Doezema, J (1998) *Global Sex Workers. Rights, Resistance and Redefinition*, London & New York, Routledge

Kempadoo, K, Sanghera, J & Pattanaik, B (eds) (2005) *Trafficking and Prostitution Reconsidered: New Perspectives on Migration, Sex Work and Human Rights*, Boulder, USA, Paradigm Publishers.

Khan, S (2007) *Creating New Gender identity and Space in the Public Sphere*, in Beckett, C. Heathcote, O. & Macey, M (eds) *Negotiating Boundaries? Identities, Sexualities, Diversities*, Newcastle, Cambridge Scholars Publishing

Khan, S & Watson, J (2005) 'The Canadian Immigration Experiences of Pakistani Women: Dreams Confront Reality', *Counselling Psychology Quarterly*, 1469-3674, 18, 4, 307-317

Khanum, N (2008) *Forced Marriage, Family Cohesion and Community Engagement: National Learning through a Case Study of Luton*, Luton, Equality in Diversity

Kilkey, M, Perrons, D & Plomien, A (forthcoming) Migrant Men's Fathering Practices and Projects in National and Transnational Spaces: Recent Polish Male Migrants to London, *International Migration*

Kitzinger, J & Barbour, R (1999) 'Introduction: The Challenge and Promise of Focus Groups', in Barbour, R & Kitzinger, J (eds) *Developing Focus Group Research: Politics, Theory and Practice*, 1-20, London, Sage

Kleinman, A & Kleinman, J (1997) 'The Appeal of Experience; The Dismay of Images: Cultural Appropriations of Suffering in Our Times', in Kleinman, A. Das, V. & Lock, M (eds) *Social Suffering*, pp1-23, Berkeley, Los Angeles & London, University of California Press

Kligman, G & Limoncelli, S (2005) *Trafficking Women after Socialism: To, Through and From Eastern Europe*, Oxford, Oxford University Press

Kofman, E (1999) 'Female 'Birds of Passage' a Decade Later: Gender and Immigration in the European Union', *The International Migration Review*, 33, 2, 269-299

Kofman, E & Sales, R (1998) 'Migrant Women and Exclusion in Europe', *European Journal of Women's Studies, Special issue: The Idea of Europe*, 5, 3-4, 38-98

Koser, K (2000) 'Asylum Policies, Trafficking and Vulnerability', *International Migration Special Issue*, 2000, 1, 91-111

La Strada, o.p.s. *The International Agreement for the Suppression of the White Slave Trade*, (1904). Available: <http://www.strada.cz/download/files/publikace/seznam%20dokumentu.doc>.  
[date accessed on line 10.03.07]

Laczko, F. Klekowski von Koppenfels, A. & Barthel, J (2004) 'Trafficking in Women from Central & Eastern Europe: A Review of Statistical Data', in Laczko, F et al (eds) *New Challenges for Migration Policy in Central and Eastern Europe*, IOM & ICMPD, Geneva & Vienna

Lam, J & Skrivankova, K (2009) *Opportunities and Obstacles: Ensuring Access to Compensation for Trafficked Persons in the UK*, London, Anti-Slavery International

Law (2000) *Sex Work in Southeast Asia: The Place of Desire in a Time of Aids*, New York, Routledge

Lebov, K (2010) 'Human Trafficking in Scotland', *European Journal of Criminology Special Issue: Human Trafficking - Issues and Perspectives*, 7, 1, 77-93

Lee, M (2007) 'Introduction: Understanding Human Trafficking' in Lee, M (ed) *Human Trafficking*, 1-25, Cullompton, Devon, Willan

Letherby, G (2003) *Feminist Research in Theory and Practice*, Buckingham, Open University Press

Lewis, H (2007a) *Destitution in Leeds. The Experiences of People Seeking Asylum and Supporting Agencies*, York, Joseph Rowntree Charitable Trust

Lewis, H (2007b) *Interrogating Community: Dispersed Refugees in Leeds*, PhD. Thesis, University of Hull

Lewis, H (2009a) *Still Destitute. A Worsening Problem for Refused Asylum Seekers*, York, Joseph Rowntree Charitable Trust

Lewis, H (2009b) *Food, Gender and 'Refugee Community' Moments*, Unpublished draft paper for SOAS Food and Migration Workshop, 2-3 February 2009

Lindstrom, N (2007) 'Translational Responses to Human Trafficking: The Politics of Anti-Trafficking in the Balkans' in Friman, H.R & Reich, S (eds) *Human Trafficking, Human Security and the Balkans*, University of Pittsburgh Press. Available:  
<http://www.maxwell.syr.edu/moynihan/programs/ces/pccconfpdfs/lindstrom.pdf>  
[date accessed on line 03.12.08]

Lister, R (2004) *Poverty*, Cambridge, Polity Press

Long, L (2004) 'Anthropological Perspectives on the Trafficking of Women for Sexual Exploitation', *International Migration*, 42, 1, 5-29

Lutz, H (2008) 'Introduction: Migration and Domestic Work in Europe', in Lutz, H (ed) *Migration and Domestic Work: A European Perspective on a Global Theme*, 1-12, Aldershot, Ashgate



Lyons, H (1999) 'The Representation of Trafficking in Persons in Asia: Orientalism and Other Perils', *Reproductions* (on line journal). Available: <http://www.hsph.harvard.edu/grhf/SAsia/repro2/orientalism.htm>, [date accessed on line 3.11.06]

Macey, M (2009) *Multiculturalism, Religion and Women: Doing Harm by Doing Good?*, Basingstoke, Palgrave Macmillan

Macklin, A (2004) "At the Border of Rights: Migration, Sex Work and Trafficking" in Gordon, N (ed) *From the Margins of Globalisation: critical Perspectives on Human Rights*, Lexington Books, New York

Madriz, E (2000) 'Focus Groups in Feminist Research', in Denzin, N & Lincoln, Y (eds) *The Handbook of Qualitative Research* (2<sup>nd</sup> ed), 835-50, Thousand Oaks: CA, Sage

Mahoney, M (1994) *Victimisation or Oppression? Women's Lives, Violence and Agency*, in Albertson Fineman & Mykitiuk (eds) *The Public Nature of Private Violence*, New York, Routledge

Mai, N (2009) *What More Can We Do? Reducing the 'Pull' to the UK*, Conference Presentation, Stopping Traffick 09, London, 4<sup>th</sup> March, 2009

May, T, Edmunds, M, and Hough, M (1999) *Street Business: The Links between Sex and Drug Markets*, Police Research Series Paper 118, London: Home Office

May, T, Harocopos, A, Hough, M (2000) *For Love or Money: Pimps and the Management of Sex Work*, Police Research Series Paper 134, London, Home Office

Mayer, A (1995) *Islam and Human Rights: Tradition and Politics*, (2<sup>nd</sup> ed), Boulder, Westview Press

McDowell, L (2009) 'Old and New European Economic Migrants: Whiteness and Managed Migration Policies', *Journal of Ethnic and Migration Studies*, 35, 1, 19-36

McLeod, E (1982) *Women Working: Prostitution Now*, London, Croom Helm

Mies, M (1993) 'Towards a Methodology for Feminist Research' in Hammersley, M (ed) *Social Research, Philosophy, Politics & Practice*, 64-82, London, Sage

Millen, D (1997) 'Some Methodological and Epistemological Issues raised by Doing Feminist Research on Non-Feminist Women', *Sociological Research Online*, 2, 3, 2-18

Miller, B (1981) *The Endangered Sex: Neglect of Female Children in Rural North India*, London: Cornell University

Miller, J (1995) 'Gender and Power on the Streets. Street Prostitution in the Era of Crack Cocaine', *Journal of Contemporary Ethnography*, 24, 4, 427-452

Miller, T (1998) 'Shifting Layers of Professional, Lay and Personal Narratives: Longitudinal Childbirth Research', in Ribbens, J & Edwards, R (eds) *Feminist Dilemmas in Qualitative Research, Public Knowledge and Private Lives*, 58-71, London, Sage

Millet, K (1970) *The Prostitution Papers. A Candid Dialogue*, London, Harper Collins

Ministry of Justice (2007) *Forced Marriage (Civil Protection) Act*, London, MOJ

Miriam, K (2005) 'Stopping the Traffic in Women: Power, Agency and Abolition in Feminist Debates over Sex-Trafficking', *Journal of Social Philosophy*, 36, 1, 1-17

Moghadam, V (1998) *Women, Work and Economic Reform in the Middle East and North Africa*, Boulder, Lynne Reinner

Mohanty, C (1988) 'Under Western Eyes: Feminist Scholarship and Colonial Discourse' *Feminist Review*, 30, 3-8

Monzini, P (2005) *Sex Traffic, Prostitution, Crime and Exploitation*, London & New York, Zed Books

Morash, M (2006) *Understanding Gender, Crime and Justice*, Thousand Oaks: CA, London, New Delhi, Sage

Morris, D (1997) 'About Suffering: Voice, Genre and Moral Community' in Kleinman, A & Kleinman, J (eds) *Social Suffering*, 25-45, Berkeley, Los Angeles & London, University of California Press

Morse, J (1994) 'Going in Blind', *Qualitative Health Research*, 4, 1, 3-5

Munro, V (2005) 'A Tale of Two Servitudes: Defining and Implementing a Domestic Response to Trafficking of Women for Prostitution in the UK and Australia', *Social and Legal Studies*, 14, 91, 91-114

Munro, V (2006) 'Stopping Traffic? A Comparative Study of Responses to the Trafficking in Women for Prostitution', *British Journal of Criminology*, 46, 318-333

Murray, A (1998) *Debt Bondage and Trafficking. Don't Believe the Hype*, in Kempadoo, K & Doezema, J (eds) *Global Sex Workers. Rights, Resistance and Redefinition*, 124-138, London & New York, Routledge

Mythen, G (2007) 'Cultural Victimology: Are we all Victims Now?' in Walklate, S (ed) *Handbook of Victims and Victimology*, 464-483, Cullompton, Devon, Willan

NCAS (n.d.) *What Makes the Difference in Empowerment?*, European Social Fund EQUAL initiative. Available: [www.leavingcare.org](http://www.leavingcare.org) [date accessed on line 15.12.08]

Oakley, A (1979) *Becoming a Mother*, Oxford, Martin Robertson & Co

Oakley, A (1981) *Interviewing Women: A Contradiction in Terms*, in Roberts, H (ed) *Doing Feminist Research*, 30-61, London, Routledge

Oakley, A (1989) 'Smoking in Pregnancy: Smokescreen or Risk Factor? Towards a Material Analysis', *Sociology of Health and Illness*, 11, 4, 311-355

Oakley, A (1992) *Social Support and Motherhood. The Natural History of a Research Project*, Oxford, Blackwell Publishers

Observer, (2011) *Sex-Trafficked Women's Charity Poppy Project in Danger as Funding Withdrawn*, Observer, 17 April 2011

O'Connell Davidson, J (1998) *Prostitution, Power and Freedom*, Cambridge, Polity Press

O'Connell Davidson, J (2005) *Children in the Global Sex Trade*, Cambridge, Polity Press

O'Connell Davidson, J (2006) 'Will the Real Sex Slave Please Stand Up?' *Feminist Review*, 83, 4-22

O'Connell Davidson, J (2010) 'New slavery, Old Binaries: Human Trafficking and the Borders of 'Freedom'', *Global Networks*, 10, 2, ?-?.

O'Connell Davidson, J (2010b), *New slavery, Old Binaries: Rights, Mobility, Exploitation and Unfreedom*, WISE Public Lecture, Hull, May 26<sup>th</sup> , 2010

Ofsted Report (2009) *Support for care leavers*, July, 2009. Available: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). [date accessed on line 12.12.10]

Olesen, V (2000) *Feminisms and Qualitative Research At and Into the Millenium*, in Denzin, N & Lincoln, Y (eds) *Handbook of Qualitative Research* (2<sup>nd</sup> ed), 215-255, Thousand Oaks: CA, London, New Delhi, Sage

Olesen, V (2007) 'Feminist Qualitative Research and Grounded Theory: Complexities, Criticisms and Opportunities', in Bryant, A & Charmaz, K (eds) *The sage Handbook of Grounded Theory*, 417-435, London, Sage

O'Neill, M (2001) *Prostitution and Feminism: Towards a Politics of Feeling*, Malden Massachusetts, Polity Press

Outshoorn, J (2005) 'The Political Debates on Prostitution and Trafficking of Women', *Social Politics: International Studies in Gender, State and Society*, 12, 1, 141-155

Page, R (2001) *The Exploration of Social Problems in the Field of Social Policy*, in May, M, Page, R & Brunsdon, E (eds) *Understanding Social Problems*, Oxford, Blackwell

Parmentier, S (2010) 'Epilogue: Human Trafficking Seen from the Future', *European Journal of Criminology Special Issue: Human Trafficking - Issues and Perspectives*, 7, 1, 95-100

Parrenas, R (2001) *Servants of Globalisation: Women, Migration and Domestic Work*, Stanford, Stanford University Press

Pateman, C (1988) *The Sexual Contract*, Cambridge, Polity Press

Pearson, E (2002) ' "Half Hearted Protection: What does victim protection really mean for Victims of Trafficking in Europe?" ', *Gender and Development*, 10, 1, 56-59

Pheterson, G (1996) *The Prostitution Prism*, Amsterdam, Amsterdam University Press

Phillips, J (2002) *The Beach Boys of Barbados: Post-Colonial Entrepreneurs in* Thorbek, S & Pattanaik, B (eds) *Transnational Prostitution: Changing Global Patterns*, 42-56, London, Zed Books

Phizlacklea, A (1998) *Migration and Globalisation: A Feminist perspective*, in Koser, K & Lutz, H (eds) *The New Migration in Europe*. London, Macmillan, 21-38

Phoenix, J (1999) *Making Sense of Prostitution*, Basingstoke, Macmillan

Phoenix, J (1999) *Making Sense of Prostitution*, Hampshire, Palgrave

Pickup, F (1998) 'Deconstructing Trafficking in Women: The example of Russia', *Millenium: Journal of International Studies*, 27, 4, 995-1021

Pillow, W (2003) 'Confession, Catharsis, or Cure? Rethinking the Uses of Reflexivity as Methodological Power in Qualitative Research', *Qualitative Studies in Education*, 16, 2, 175-196

Piper, N (2005) *Gender and Migration. A Paper Prepared for the Policy Analysis and Research Programme of the Global Commission on International Migration*, Asia Research Institute, National University of Singapore

Piper, N (2005b) *A problem by a Different Name? A Review of Research on Trafficking in South East Asia and Oceania*, in Laczko, F & Gozdzia, E (eds) *Data and Research on Human Trafficking: A Global Survey*, International Organisation for Migration, 43, 1/2, 203-233

Plumwood, V (1993) *Feminism and The Mastery of Nature*, London, USA & Canada, Routledge

Pollack, S (2003) 'Focus Group Methodology in Research with Incarcerated Women: Race, Power and Collective Experience', *Affilia*, 18, 4, 461-472.

Available: <http://aff.sagepub.com> [date accessed on line 22.02.09]

Poppy Project (2004) *When Women are Trafficked : Quantifying the Gendered Experience of Trafficking in the UK*, London, Poppy Project

Poppy Project (2008) *Good Intentions. A Review of the New Asylum Model and its Impact on Trafficked Women claiming Asylum*, London, Poppy Project

Poppy Project (2009) *Male-Ordered: The Mail-Order Bride Industry and Trafficking in Women for Sexual and Labour Exploitation*, February, 2009, London, Poppy Project.

Poppy Project Research Site. Available: <http://www.eaves.ik.com> [date accessed on line 15.03.08]

Poppy Project Website. Available: <http://www.eaves4women.co.uk/>. [date accessed on line 16.06.11]

Poudel, M (2005) *Hidden Issues? Trafficking as a form of Sexual Violence Against Women*, Paper delivered to the Feminist and Women's Studies Association (UK & Ireland) Annual Conference, 9-11 September, 2005, University of Aberdeen, Unpublished

Ramazanoglu, C & Holland, J (2000) *Still Telling It Like It Is? Problems of Feminist Truth Claims*, in Ahmed, S. Kilby, J. Lury, C. McNeil, M. and Skeggs, B (eds), *Transformations, Thinking Through Feminism*, 207-220, London & New York, Routledge

Ramazanoglu, C & Holland, J (2002) *Feminist Methodology*, London, Sage

Raymond, J (1998) 'Prostitution as Violence against Women. NGO Stonewalling in Beijing and Elsewhere', *Women's Studies International Forum*, 1998, 21, 1-9

Reinharz, S (1992) *Feminist Methods in Social Research*, New York, Oxford University Press

Reinharz, S & Chase, S (2002) *Interviewing Women*, in Gubrium, J and Holstein, J (eds) *Handbook of Interview Research*, 221-238, Thousand Oaks: CA, London, New Delhi, Sage

Ribbens, J & Edwards, R (1998) (eds) *Feminist Dilemmas in Qualitative Research: Public Knowledge and Private Lives*, Thousand Oaks: CA, Sage

Ristock, J (2002) *No More Secrets. Violence in Lesbian Relationships*, London & New York, Routledge

Robinson, V (2002) 'Doing Research with Refugees and Asylum Seekers', *Swansea Geographer*, 37, 61-67

Robinson, V (2003) 'Dispersal Policies in the UK' in Robinson, V, Andersson, R & Musterd, S (eds) *Spreading the 'Burden'? A Review of Policies to Disperse Asylum Seekers and Refugees*, 103-148, Bristol, The Policy Press

Rothon, C & Heath, A (2003) *British Social Attitudes*, 20th Annual Report, London: National Centre for Social Research

Salt, J (2000) 'Trafficking and Human Smuggling: A European Perspective', *International Migration, Special issue*, 2000/2001, 31-56

Salt, J (2005) *Current Trends in International Migration in Europe*, Strasbourg: Council of Europe Publishing, September, 2005

Salt, J & Stein, J (1997) 'Migration as a Business: The Case of Trafficking', *International Migration*, 35, 4, 467-494

Salvation Army (2011) *Anti Trafficking Mission Statement*. Available: <http://www2.salvationarmy.org.uk/> [date accessed on line 04.06.11]

Salvation Army (2011) *Mission Statement*. Available: [http://www2.salvationarmy.org.uk/uki/www\\_uki.nsf/vw-sublinks/5D35EC2B04BC515880256F1900494FA9?openDocument](http://www2.salvationarmy.org.uk/uki/www_uki.nsf/vw-sublinks/5D35EC2B04BC515880256F1900494FA9?openDocument) [date accessed on line 04.06.11]

Samad, Y (2010) 'Forced Marriage among Men: An Unrecognized Problem', *Critical Social Policy*, 30, 189-207

Samad, Y & Eade, J (2003) *Community Perceptions of Forced Marriage*. London, Foreign & Commonwealth Office



Sanders, T (2009) 'Kerbcrawler Rehabilitation Programmes: Curbing the 'Deviant' Male and Reinforcing the 'Respectable' Moral Order, *Critical Social Policy*, 29, 77-99

Sanders, T, O'Neill, M & Pitcher, J (2009) *Prostitution: Sex Work, Politics and Policy*, London & California, Sage

Sandy, L (2009) *Free vs. Forced: The Everyday Lived Experiences of Cambodian Sex Workers and the Voluntary /Forced Dichotomy*, Paper presented at the Pacific Interest Group Seminar Series, University of Manchester, 28<sup>th</sup> October, 2009

Sassen, S (1999) *Guests and Aliens*, New York, New Press

Sassen, S (2003) 'Global Cities and Survival Circuits' in Ehrehreich, B & Hochschild, A (eds) *Global Woman: Nannies, Maids and Sex Workers in the New Economy*, 254-274, New York, Owl Books

Scoular, J & O'Neil, M (2007) 'Regulating Prostitution. Social Inclusion, Reponsibilization and the Politics of Prostitution Reform', *British Journal of Criminology*, 47, 764-778

Scrambler, G (1997) 'Conspicuous and Inconspicuous Sex Work: The Neglect of the Ordinary and Mundane', in Scrambler, G & Scrambler, A (eds) *Rethinking Prostitution: Purchasing Sex in the 1990's*, London, Routledge

Scrambler, G (2007) 'Sex Work Stigma: Opportunist Migrants in London, *Sociology*, 41, 1079. Available: <http://soc.sagepub.com> [date accessed on line 24.02.09]

Sen, A (1999) *Development As Freedom*, New York, Alfred A Knopf

Sered, S (1992) *Women as Ritual Experts: The Religious Lives of Elderly Jewish Women in Jerusalem, 1992 Women as Ritual Experts*: Oxford, Oxford University Press

Sharp, N (n.d.) *Forced Marriage in the UK*, Refuge

Shelley, L (2007) 'Human Trafficking as a Form of Transnational Crime, in Lee, M (ed) *Human Trafficking*, 116-137, Cullompton, Devon, Willan

Shrage, L (1994) *Moral Dilemmas of Feminism: Prostitution, Adultery, and Abortion*, New York, Routledge

Skeggs, B (1997) *Formations of Class & Gender. Becoming Respectable*, London, Sage

Skeldon, R (2000) 'Trafficking: A Perspective from Asia', *International Migration*, 38 (3), 7-30

Skilbrei, M & Polyakova, I (2006) *My Life is Too Short; I Want to Live Now*, Oslo, University of Oslo

Skrivankova, K (2010) *Between Decent Work and Forced Labour: Examining the Continuum of Forced Exploitation*, JRF Programme Paper.

SOCA (2009/10) *The UK Treat Assessment of Organised Crime*, London, SOCA

Social Research Association (2003) *Code of Ethics*. Available: <http://www.the-sra.org.uk/documents/pdfs/ethics03.pdf> [date accessed on line 04.06.07]

South West 5 Project (2005) *Male Sex Work Workshop: 14. 04.2005*, London, South West 5 Project

Spanger, M (2002) *Black Prostitutes in Denmark*, in Thorbek, S & Pattanaik, B (eds), *Transnational Prostitution: Changing Global Patterns*, 121-136, London, Zed Books

Spivak, G (1988) 'Can the Subaltern Speak?' in Nelson, C & Grossberg, L (eds) *Marxism and The Interpretation of Culture*, 271-313, Chicago, University of Illinois Press

Stanley, L & Wise, S (1993) *Breaking Out Again*, London, Routledge

Strachan R, & Tallant C (1997) 'Improving Judgement and Appreciating Biases within the Risk Assessment Process', in Kemshall, H & Pritchard, J (eds) *Good Practice in Risk Assessment and Risk Management 2: Protection, Rights and Responsibilities*, 15-26, London: Jessica Kingsley

Strauss, A & Corbin, J (1990) *Basics of Qualitative Research: Grounded Theory Procedure and Techniques (2<sup>nd</sup> ed)*, Newbury Park London, Sage

Strauss, A & Corbin J (1998) *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory*, (2nd ed), Thousand Oaks, CA: Sage

Stepnitz, A (2009) *Male-ordered. The Mail-Order Bride Industry and Trafficking in Women for Sexual and Labour Exploitation*, London, Eaves Housing

Stepnitz, A (2010) Interview in Barry, L (ed) *Bride Trafficking Unveiled*, Current TV Documentary, aired 20. 04. 2010

Sullivan, B (2003) 'Trafficking in Women. Feminism and New International Law', *International Feminist Journal of Politics*, 5, 1, 67-91

Surtees, R (2003) 'Female Migration and Trafficking in Women': The Indonesian Context, *Development*, 46, 3, 99-106

Surtees, R (2008) 'Traffickers and Trafficking in Southern and Eastern Europe. Considering the Other Side of Human Trafficking', *European Journal of Criminology*, 5, 1, 39-68

Tacoli, C (1999) 'International Migration and the Restructuring of Gender Asymmetries: Continuity and Change Among Filipino Labor Migrants in Rome' in Carling, J (2005) *Global Migration Perspectives. Gender Dimensions of International Migration*, Global Commission on International Migration (GCIM), 35, 1-26. Available: <http://www.gcim.org/mm/File/GMP%20No%2035.pdf> [date accessed on line 20.12.06]

Taraki, L (1995) 'Islam is the Solution: Jordanian Islamists and the Dilemma of the 'Modern Woman'', *British Journal of Sociology*, 46, 4, 648-649

Taylor, I (1999) *Crime in Context*, Cambridge, Polity Press. Trafficking Toolkit: *Tackling Trafficking*, CJS, 2009. Available: <http://frontline.cjonline.gov.uk> [date accessed on line 02.08.10]

Temkin, J. (2000) 'Prosecuting and Defending Rape: Perspectives from the Bar'. *Journal of Law and Society*, 27, 2, 219-248

Temple, B & Young, A (2004) 'Qualitative Research and Translation Dilemmas', *Qualitative Research*, 4, 161. Available: <http://qri.sagepub.com/cgi/content/abstract/4/2/161> [date accessed on line 04.03.08]

Thai, H.C (2003) 'Clashing Dreams: Highly Educated Overseas Brides and Low Wage US Husbands', in Ehrenreich, B & Hochschild, A. R (eds) *Global Woman: Nannies, Maids and Sex Workers in the Global Economy*, 230-253, New York, Owl Books

The Coalition (2010) *Our Programme for Government*, (May, 2010), London, Cabinet Office

Thompson, N (2006) *Anti Discriminatory Practice*, London, Palgrave Macmillan

Thorbek, S & Pattanaik, B (eds) (2002) *Transnational Prostitution: Changing Patterns in a Global Context*, London, Zed Books

Tribe, R (2002) 'Mental Health of Refugees and Asylum Seekers', *Advances in Psychiatric Treatment*, 8, 240-248

Tronto, J (1993) *Moral Boundaries: A Political Argument for an Ethic of Care*, London, Routledge

Truong, T-D (2006) *Poverty, Gender and Human Trafficking in Sub-Saharan Africa: Rethinking Best Practices in Migration Management*, UNESCO. Available: <http://www.unesdoc.unesco.org> [date accessed on line 03.10.10]

Tyldum, G (2010) 'Limitations in Research on Human Trafficking', *International Migration*, 1-13

Tysome, T (2007) 'Slave Trade Sees no Let-up 2000 Years On', *The Times Higher Educational Supplement*, March 23, 2007

UKHTC (2009a) *National Referral Mechanism Data: The First Six Months*, Sheffield, UKHTC. Available: <http://www.org> [date accessed on line 10.06.09]

UKHTC (2009 b) *National Referral Mechanism Adult Process Map*. Available: [www.hillingdon.gov.uk](http://www.hillingdon.gov.uk) [date accessed on line 30.11.10]

United Nations (1956) *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery*. Available: <http://www2.ohchr.org/english/law/slavetrade.htm> [date accessed on line 04.11.10]

United Nations (2000) *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, Supplementing the United Nations Convention Against Transnational Organised Crime (2000). Available: <http://www.uncjin.org/Documents/Conventions/dcatog/finaldocuments2/Convention%20traffeng.pdf> [date accessed on line 23.03.07]

United Nations (2000b) *Protocol against The Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention Against Transnational Organised Crime* (2000). Available: [http://www.uncjin.org/Documents/Conventions/dcatoc/final\\_documents\\_2/conventionsmug\\_eng.pdf](http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/conventionsmug_eng.pdf) [date accessed on line 23.03.07]

United Nations (2007) *Second Annual Thematic Report of the Special Rapporteur on Trafficking in Persons*, 24.01.2007. Available: [UNDOC.A/HRC/4/23](http://undoc.org/hrc/4/23) [date accessed on line 14.4.07]

United Nations (2009) *Good Practices in Legislation on “Harmful Practices” Against Women*, Report of the Expert Group Meeting, United Nations Division for the Advancement of Women and United Nations Economic Commission for Africa, Addis Ababa, 26 to 29 May 2009

UN Economic and Social Council (1997) *Further Promotion and Encouragement of Human Rights and Fundamental Freedoms, Including the Question of the Programme and Methods of Work of the Commission Alternative Approaches and Ways and Means within the United Nations System for Improving the Effective Enjoyment of Human Rights and Fundamental Freedoms. Report of the Special Rapporteur on Violence against Women, its Causes and Consequences, Ms. Radhika Coomaraswamy*, 53<sup>rd</sup> Session, 12<sup>th</sup> February, 1997. E / CN.4 / 1997 / 47

UN General Assembly (2000) *Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on the work of its first to eleventh sessions and Interpretative Notes for the Official Records (travaux préparatoires) of the negotiation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto*, 55<sup>th</sup> Session, 3<sup>rd</sup> November, 2000. A / 55 / 383 / Add. 1. Available: [http://www.unodc.org/pdf/crime/final\\_instruments/383a1e.pdf](http://www.unodc.org/pdf/crime/final_instruments/383a1e.pdf) [Date accessed on line 10.01.11]

UN General Assembly (2007) *Report of the Special Rapporteur on the Human Rights Aspects of the Victims of Trafficking in Persons, Especially Women and*

*Children*, Sigma Huda, Human Rights Council, 24<sup>th</sup> January, 2007. A / HRC / 4 / 23. Available: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G07/104/10/PDF/G0710410.pdf?OpenElement>  
[date accessed on line 23.09.08]

UN Office on Drugs and Crime (2006) *Travaux Préparatoires of the Negotiations for the Elaboration of the United Nations Convention against Transnational Organized Crime and the Protocols thereto*, New York, UN Transcript E-book E.06.V.5

UN Office on Drugs and Crime (2008) *Women Traffickers*, Anti Human Trafficking Unit Vienna Forum, 13<sup>th</sup> – 15<sup>th</sup> February, 2008

UN Office on Drugs and Crime (2009) *Trafficking in Persons*, UN Global Initiative to Fight Human Trafficking

University of Hull (2007) *Code of Ethics*. Available; <http://www.hull.ac.uk/researchatuni/ethicscode.doc> [date accessed on line 04.06.07]

US Department of State (2008) *Trafficking in Persons Report*, Washington DC, US Department of State

Viuhko, M (2010) 'Human Trafficking for Sexual Exploitation and Organised Procuring in Finland', *European Journal of Criminology*, 7, 1, 61-75

Walklate, S (2008) 'What Is To Be Done about Violence Against Women?' Gender, Violence, Cosmopolitanism and The Law', *British Journal of Criminology*, 48, 1, 39-54

Wang, H & Chang, S (2002) 'The Commodification of International Marriages: Cross-Border Marriage Business in Taiwan and Vietnam', *International Migration*, 40, 6, 94-114

Ward, H (2002) 'Short Term Interventions Are Not Enough: Sex Work and Health in the Free Market', *Sexually Transmitted Infections*, 78, 80

Ward, H & Day, S (2004) 'Sex Work in Context', in Day, S & Ward, H (eds) *Sex Work, Mobility and Health in Europe*, London, Kegan Paul

Warr, D (2004) 'Stories in the Flesh and Voices in the Head: Reflections on the Context and Impact of Research with Disadvantaged Populations', *Qualitative Health Research*, 14, 578-87

Watts, J (2006) 'The Outsider Within': Dilemmas of Qualitative Feminist Research within A culture of Resistance', *Qualitative Research* 6, 385-402. Available: <http://qrj.sagepub.com/cgi/content/abstract/6/3/385> [date accessed on line 04.03.08]

Wheaton, E, Schauer, E & Galli, T (2010) 'Economics of Human Trafficking', *International Migration*, 48, 4, 114-141

Whitworth Art Gallery (2009) *Creative Arts Day: Mediating Marginalities*, University of Manchester and Arts & Humanities Research Council, 12<sup>th</sup> September, 2009. Available: <http://lancs.ac.uk/fass/projects/movingmanchester/global-imaginaries/exhibitions/WWhitworth.html> [date accessed on line 19.09.09 & 16.06.10]

Wilkinson, S (1998) 'Focus Groups in Feminist Research: Power, Interaction and the Co-construction of Meaning', *Women's Studies International Forum*, 21, 1, 111-26

Wilkinson, S (1999) 'Focus Groups: A Feminist Method', *Psychology of Women Quarterly*, 23, 221-44

Williams, K (2004) *Textbook of Criminology*, 5<sup>th</sup> ed, Oxford, Oxford University Press



Williams, R & Kaye, M (2010) *At the End of the Line: Restoring the Integrity of the UK's Asylum System*, Still Human Still Here Coalition Publication

Wilson, A (2007) 'The Forced Marriage Debate and the British State', *Race and Class*, 49, 25, 25-38

Wolfenden Report (1957) *The Report of the Committee on Homosexual Offences and Prostitution*, Command Paper 247, London, HMSO

Wuest, J (1995) 'Feminist Grounded Theory: An Exploration of the Congruency and Tensions between two traditions in Knowledge Discovery. *Qualitative Health Research*, 5, 1, 125-137

Zatz, N (1997) 'Sex work/Sex Act: Law, Labour and Desire in Constructions of Prostitution ', *Signs: Journal of Women in Culture & Society*, 22, 2, 277-308

Zimmerman, C. Hossain, M. Yun, K. Roche, B. Morison, L. & Watts, C (2006) *Stolen Smiles: A Summary Report on the Physical and Psychological Health Consequences of Women and Adolescents Trafficked in Europe*, London, The London School of Hygiene & Tropical Medicine. Available: [www.lshtm.ac.uk/files/genderviolence/](http://www.lshtm.ac.uk/files/genderviolence/) [date accessed on line 10.06.07]

Zontini, E (2004) 'Immigrant Women in Barcelona: Coping with the Consequences of Transnational Lives', *Journal of Ethnic and Migration Studies*, 30, 6, 1113–1144

Zontini, E (2008) *Transnational Families, Gender and Local Contexts: The Experiences of Moroccan and Filipino women in Bologna and Barcelona*, New York and Oxford, Berghahn

## APPENDIX 1

### Table of research categories : Anti-trafficking professionals

Composition of Interviews – Anti-Trafficking Professionals	
Competent Authorities	Senior Government Enforcement Officer 1
	Senior Government Enforcement Officer 2
	Senior Government Enforcement Officer 3
	Government Enforcement Officer 4
	Government Enforcement Officer 5
	Government Enforcement Officer 6
Non-Governmental Organisations	NGO Information Officer
	NGO Programme Co-ordinator
	NGO Outreach worker
	NGO Support worker
	NGO Project Manager
	NGO Education Officer
Partnership Organisations	Partnership A
	Partnership B
	Partnership C

## **APPENDIX 2**

### **Women's informed consent form**

#### **INFORMATION YOU NEED TO KNOW ABOUT THE RESEARCH:**

I am interested in talking to women about trafficking and, in particular, their experience of a trafficking situation. I will ask about different aspects of the experience: For example, your experience of any arrangements made for coming to the UK, the experience of your journey over to the UK, your experience once in the UK, and your experience of coping with or changing your situation.

The purpose of the research is to learn from women's experiences, in order to inform social understanding and policy towards women and their dependants, who find themselves in similar situations to your own.

#### **WHAT FORM WILL THE RESEARCH TAKE:**

Initially, you will be asked for some background information to do with your age, country of origin, education (if any), work (if any), family situation and reasons for leaving. The interview will then ask general questions around and about your experience of trafficking, along the lines given above.

#### **HOW LONG WILL THE INTERVIEW LAST:**

The interview will take approximately an hour and a half. The interview will be taped so I can listen to what is being said and not have to rely on memory and note taking. I will then personally transcribe them. No other researchers will have access to your interviews.

#### **WHAT SAFEGUARDS DO YOU HAVE:**

Your identity will be kept anonymous and confidential, so that you cannot be identified when the research is shared with policy makers and other researchers. Your voices will be included in the text, anonymously, wherever possible as acknowledgement of your experience and contribution to this research. Your interview will be stored confidentially in a lockable cabinet during the research and destroyed once the research is finished.

At no stage will your personal details or circumstances be shared with any official dealing with you.

**GIVING CONSENT:**

If you change your mind at any stage, you are free to withdraw and no questions will be asked. If you have any questions you want to ask me, at any stage, my mobile telephone number is 0\*\*\*\* 2\*\*\*\*. My e mail address is \*\*\*\*\*@\*\*\*\*\*. Please keep a copy of this consent form for your information and, as a thank you for agreeing to take part and help me in this research, you will receive a cash payment of £15.00. I look forward to seeing you soon.

## **APPENDIX 3**

### **Anti-trafficking professionals' informed consent form**

#### **INFORMATION YOU NEED TO KNOW ABOUT THE RESEARCH:**

I am interested in talking to women about trafficking and, in particular, their experience of a trafficking situation. I will ask them about different aspects of the experience: For example, their experience of any arrangements made for coming to the UK, the experience of their journey over to the UK, and their experience once in the UK. The purpose of the research is to learn from women's experiences, in order to better inform social understanding and policy development.

Consequently, I am also interested in talking with professionals involved in different aspects of service delivery to trafficked persons, in order to gain a comprehensive view which can be of value for policy improvement.

#### **WHAT FORM WILL THE RESEARCH TAKE:**

The interviews will take no more than an hour. The interviews will be taped so I can listen to what is being said and not have to rely on memory and note taking. I will then transcribe and analyse them for their insights into areas of victim identification, trafficking assessments and assistance, and professional roles. It is hoped the research will also help to shape academic & vocational training courses in Human Trafficking, as well as contributing towards my PhD research.

#### **WHAT SAFEGUARDS DO YOU HAVE:**

You will not be named, so that your identity remains anonymous and confidential whenever the research is shared. Your contributions will be included in the text, anonymously, as acknowledgement of your experience and value to this research. Your interview will be stored confidentially in a lockable cabinet during the research and destroyed once the research is finished. At no stage will an individual's personal details or circumstances be shared with any other official.

**GIVING CONSENT:**

If you change your mind in interview, you are free to withdraw and no questions will be asked. If you have any questions you want to ask me, at any stage of the research process, my telephone number is 0\*\*\*\*\* 2\*\*\*\*\* and my e mail address is \*\*\*\*\*@\*\*\*\*\*. Please keep a copy of this consent form for your information and thank you for agreeing to take part and help me in this research. I look forward to seeing you soon.

## **APPENDIX 4**

### **Interview guide: Semi structured interviews with women**

#### Questions:

1. Can you give me some idea of why you came over to this country?
2. What can you tell me about the way in which this (marriage, work, 'other') was arranged?
3. How did you get from home to here?
4. What were your thoughts and feelings during this journey?
5. When you arrived here what happened?
6. How do you feel about your situation (marriage, relationship, work, 'other')?
7. In your situation, what have you done or what could you do to make things better for yourself?
8. Is there something else I should have asked you?

#### Prompts:

1. Can you give me some idea of why you came over to this country?

Establish: [Nature of the movement]

- ❖ Is it largely for marriage, work, another reason? (or is this an agency construction).
- ❖ Were different possibilities open to you?
- ❖ Allow for other motivations - what were these? (as in travel, remittances, education, cultural freedoms of dress, work outside the home etc).

2. What can you tell me about the way in which this was arranged?

Explore: [Act - recruitment / receipt; and Means - force/ deception / false promise / consent]

- ❖ What were you told/expecting from this arrangement?
- ❖ Who controlled/influenced the arrangements?

- ❖ Were you involved in the process? And in what way?
- ❖ How important were your thoughts and feelings?
- ❖ Did you trust what was happening/ the person(s)?
- ❖ Who profited from the arrangements? And in what way(s)?
- ❖ Could you have changed your mind/refused?
- ❖ What would have been the consequences of a change of mind or refusal?
- ❖ Is your experience typical of your community/class/religious/cultural traditions?

3. How did you get from home to here?

Explore: [Act and Means].

- ❖ How did you get to the UK?
- ❖ Why the UK?
- ❖ Were you involved in the planning?
- ❖ Who were the most important people making the decisions?
- ❖ Was your journey as expected?

4. What were your thoughts and feelings during this journey?

Explore: [Act and Means]

- ❖ During the journey, did you feel you could change your mind?
- ❖ Did you want to change your mind?
- ❖ What would have happened if you had changed your mind?
- ❖ Was your experience typical of your community /class / religious or cultural tradition?
- ❖ In what ways was it different from the norm?

5. When you arrived here what happened?

Explore: [Act and Exploitation (ownership/debt/abuse/deprivation of liberty; also quality of relationship, aspects of agency and opportunity)]

- ❖ How were you received and by whom?
- ❖ Was it as you expected?



- ❖ Did you have a ceremony?
  - ❖ Do you think it is a marriage?
  - ❖ What is your relationship with your husband/partner, employer, new family like? (explore dependence/independence: as in financial, language, knowledge of UK society, immigration status, social contacts).
  - ❖ How do you feel you are treated (as a wife, employee, servant)?  
Remuneration/ reward / praise, time for self, privacy, worth?  
Taken for granted, put upon, restricted, abused?
6. How do you feel about your situation (marriage, employment, 'other')?  
Explore: [relationship of victimhood & agency - personal & structural].
- ❖ Is it better or worse than expected / hoped for?
  - ❖ What was better before, what is better now?
  - ❖ What is a good day like and how does it make you feel?
  - ❖ What is a bad day like and how does it make you feel?
7. In your situation, what have you done or could you do to make things better for yourself?  
Explore: [Choice and personal & structural constraints and opportunities of agency].
- ❖ What are some of the barriers to leaving / returning home? (as in conflicting emotions, reaction from home, honour, shame, loss of children, lack of documents, networks etc ).
  - ❖ What are some of the reasons for staying? (as in social or consumption practices, housing, education, training, employment, cultural/ religious/gender freedoms, a sense of belonging etc).
  - ❖ Who or what has helped you the most?
  - ❖ Who or what has been the biggest problem?
  - ❖ Do you feel you could return to your country of origin?
  - ❖ Do you want to return?
  - ❖ What would you say to other women in your position?

8. Is there something I should have asked you?

REMINDER TO SELF

Check up on how women appear following interview.

Arrange staff support, if in any doubt or in any way concerned over how the interview has affected them.

## APPENDIX 5

### **Interview guide: Semi structured interviews with anti-trafficking professionals**

#### Topic Guide:

##### 1. Identification:

Who qualifies as a VOT?

How do professionals identify a woman who is trafficked?

##### 2. Comprehension:

What constitutes a trafficking experience?

Understandings of consent, coercion and exploitation.

##### 3. Actions: (recognition and weighting of well being agency and agency freedom)

What services do trafficked women require and why?

Women's actions and the official meanings given to them?

Opportunities and barriers to agency?

##### 4. Role of women?

What happens to women with a different trafficking story or different experience to those in populist or official discourses?

How do professionals understand women who break the rules?

##### 5. Who is the expert?

What do women want? (from the Convention, Competent Authorities, and NRM)

What do women get?

Key Questions to aid discussion:

INTRODUCTION:

- What's your job title?
- Could you briefly describe your role for me?
- How would you describe the work of your agency to a member of the public?
- How / In what way are you linked to the CA's?

IDENTIFICATION:

- What would you say are the major factors supporting 'reasonable grounds' for thinking a woman has been trafficked?
- In what ways have you found 'the guidance' to be less than helpful or incomplete?
- Where a woman identifies herself as trafficked, does this assist you or not? And could you explain why?
- In the absence of an appeals procedure, how will professionals know they are getting the identification right?

VICTIM SUPPORT / COMPREHENSION:

- What principles guide your / your agency's work with victims?
- What are the main rewards of the work you do in this area?
- What are your main frustrations?
- What protection, support or assistance could be added to that which is currently on offer?
- When does a VOT stop being a victim? How do women move on with their lives?
- What case would you make for and against including former trafficked women in the decision making process?

ACTIONS / WOMEN'S ROLE AND CONSENT:

- From your experience of working alongside trafficked persons, what actions, steps and strategies can individuals take to improve their situation?
- Where a woman knew some things but not everything about her situation, how should we approach the issue of consent?

- If the woman herself becomes involved in criminal activity, how should we approach the issue of consent?
- How fundamental is victim cooperation to the successful prosecution of a trafficker?
- What happens to women who later withdraw their co-operation?
- What happens when the CPS halt proceedings, no longer requiring victim co-operation?

#### MULTI AGENCY / PARTNERSHIP WORKING / EXPERTISE:

- Can you name one perception or attitude, on your part, which has changed over time and can you say in what way and why?
- Can you give me any best practices which have resulted from multi agency dialogue?
- Can you give me any best practices which have evolved from work with trafficked women?
- In what ways is the service your agency offers diversity friendly? eg different supports for different types of trafficking, different trafficked persons?
- How do you tackle a victim's mistrust of officials based on home country experience or what she may have been told by the trafficker?

#### CLOSING QUESTIONS:

- What does a Human Rights Approach mean to you / for your agency?
- If you had one anti-trafficking wish, what would it be and why?
- Is there something else I should have asked you?
- Is there something you would like to ask me?

#### THANK YOU:

For your generous time and kind support of this research.

## APPENDIX 6

### Letter from Government

